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ABSTRACT

Intended as a resource for mainstream teachers, this document summarizes current research on effective ways for teachers to meet the educational needs of American Indian students in public schools. The first section discusses the history of U.S. governmental intervention in American Indian education, which influences how some American Indians view schools today. The second section examines current research and theory concerning Indian students' relatively low academic success. Cultural difference theory focuses on discontinuities between the cultures and languages experienced by students at home and in school, differences in learning styles, and resulting classroom miscommunication. The macrostructural explanation suggests that "involuntary minorities" such as American Indians interpret sociolinguistic discontinuities in school as institutional discrimination and view the standard language and behavior practices of the school as detrimental to their own group's culture and identity. The third section briefly discusses nonstandard forms of "Indian English." The fourth section addresses classroom implications. Teachers may adapt instruction to support a broad range of learning styles through strategies such as cooperative learning, multisensory instruction, and increased holistic emphasis. Teachers may also learn about their students' languages and cultures, address oppositional identity by integrating multicultural perspective into the curricula, and promote students' intrinsic motivation through relevant curricula. Indian student silence and parent participation are also discussed. The fifth section specifically addresses issues of reading instruction, including risk factors for reading difficulties, language development, reading comprehension, and standard English skills. An appendix reviews the history of federal Indian policy and the status of tribal governments. (Contains 155 references.) (SV)

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Reading

and the

Native American Learner

Research Report

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Reading and the Native American Learner
Research Report

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June 2000

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Introduction

The academic achievement of all children is of utmost importance to educators and communities alike. Tremendous improvements have been made in many aspects of our educational system. However, much remains to be accomplished. This is particularly true in regard to American Indian and Alaskan Native children. As Reyes (1998) notes, "Despite 25 years of Indian education, nationwide achievement levels [of Indian children] continue to be low and dropout rates continue to be high" (p.2).

Following the first two administrations of the Washington Assessment of Student Learning (WASL) test in 1997 and 1998, concern was expressed over the low scores among the different groups of children of color enrolled in public schools and among Native American children in particular. In response to such concerns, this document was created as a resource for mainstream teachers regarding what current research suggests are the most appropriate methods for meeting the educational needs of American Indian and Alaskan Native children in the public schools, as well as to provide pertinent background information on the historical and sociopolitical relationships between American Indian tribes and the U.S. government (of which public schools are representatives). This document is intended as a supplement to *Research Into Practice: An Overview of Reading Research for Washington State,* published by the Office of Superintendent of Public Instruction (1998a), and these documents should be considered together. American Indian and Alaskan Native children go through the same stages in their language, cognitive, and psychological development as all children, and, like all other children, need loving, supportive, challenging, rich, and culturally appropriate learning environments.[1]

As a resource for teachers, the focus of this document is limited to those aspects of education that are influenced by parent and teacher decision making, as opposed to those aspects that are largely under the control of school administrators or educational policymakers. Hence, although we address issues such as the instructional implications of American Indian and Alaskan Native students coming to school speaking varieties of "Indian English," we do not address other important issues such as the benefits of instituting educational programs involving language renewal for Native American students who are not fluent in their ancestral languages, since the creation of such programs is primarily an administrative or policy decision (and therefore goes beyond the scope of this document).

It is important to note that this document does not focus on Native Americans generally, but instead focuses specifically on American Indians and Alaskan Natives (for the sake of brevity, we hereafter refer to both of these groups as "American Indians"). Our emphasis is on students descended from the indigenous peoples of North America and not on other Native American groups such as Native Hawaiians, Native Samoans, or Native Puerto Ricans. Although much of our work may be applicable to students from these latter groups, we have not systematically investigated this possibility.

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[1] For further information, see *Indian Education Plan of Action for Washington State,* published by the Office of Superintendent of Public Instruction (1995).

It is also important to note that although we have attempted to provide information that is applicable to American Indian students generally, these students should not be considered a homogenous group. Although there are often many social and cultural similarities between tribes, each tribal community possesses a unique culture and history. Furthermore, individual American Indians may be affiliated with a federally recognized tribe, a state-recognized tribe, or a tribe that lacks formal recognition by the federal government or a state;[2] they may also fail to affiliate with any American Indian group. Although many live on or near tribal reservations, a large portion live in urban areas. American Indian students also vary in their degree of acculturation with regard to mainstream society and in those personal characteristics that are variable among all children.

This document is divided into five sections. In the first section we discuss the history of U.S. governmental involvement in American Indian education, a history which strongly influences how some American Indians view schools today. In the second section we discuss what current research and theory suggests are the primary reasons for the relatively low level of academic success among American Indian students. In the third section we provide a brief discussion of the nonstandard forms of English spoken by many American Indians today. We then address, in the fourth section, the classroom implications of the preceding sections for teachers; focused on are ways in which teachers can better meet the needs and support the abilities of the American Indian students in their classrooms. Finally, in the fifth section, we specifically address issues of reading instruction in regard to American Indian students. This document also includes an addendum that provides an overview of the history of political and legal relations between the United States government and American Indians as well as a discussion of the special legal and political status of American Indians and tribal governments.

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[2] A federally recognized tribe is an American Indian group whose political status has been affirmed through trust agreements, treaty-making, or other forms of federal/tribal action. A state-recognized tribe is a group whose status the federal government has not acknowledged, but whose status has nonetheless been affirmed by one or more state governments. The federally recognized tribes in Washington State include the Hoh, Jamestown S'Klallam, Kalispel, Lower Elwha Klallam, Makah, Muckleshoot, Nisqually, Nooksack, Port Gamble S'Klallam, Puyallup, Quileute, Sauk-Suiattle, Shoalwater Bay, Skokomish, Snoqualmie, Spokane, Squaxin Island, Stillaguamish, Suquamish, Swinomish and Upper Skagit, as well as the Lummi Nation, the Quinault Nation, the Yakama Nation, the Samish Nation, the Colville Confederated Tribes, the Chehalis Confederated Tribes, and the Tulalip Tribes. The tribes in Washington State that currently lack federal or state recognition are the Chinook, Cowlitz, Duwamish, Snohomish, Snoqualmoo, Marietta Band of Nooksack and Steilacoom, as well as the Kikiallus Indian Nation.

Executive Summary

This document is intended as a resource for mainstream teachers. It provides a summary of current research on effective ways for teachers to more fully meet the educational needs of American Indian children attending public schools. The following is an overview of the research findings reported in this document:

- In Washington State, as well as on a national level, American Indian elementary and secondary school students, as a group, have a relatively low level of academic success.
- Although a number of theories have been put forth as to the reason for the relatively low level of academic success among American Indians and other minority groups, two theories currently hold particularly wide acceptance among educational researchers and theorists: cultural difference theory and the macrostructural explanation.
- According to cultural difference theory, the relatively low level of academic success among minority students in the United States (including American Indian students) results from discontinuities between the cultures and languages of these students' homes and communities and the culture and language of mainstream American society and the public schools. According to this theory, minority students come from backgrounds that equip them with linguistic, cognitive, and interactional styles that are not fully supported by typical public schools, which are instead usually structured to support those styles common to white, middle class students. It is believed that these discontinuities often result in systematic and recurrent miscommunication in the classroom, as well as a failure to acknowledge and build upon the knowledge and abilities that minority students bring with them to school.
- The macrostructural explanation suggests that although discontinuities in linguistic, cognitive, and interactional styles may present challenges to minority students, cultural difference theory is inadequate because it fails to explain why some minority groups in the United States are relatively academically successful despite the fact that members of these groups encounter such discontinuities in their educational experiences. According to the macrostructural explanation, American Indians, African Americans, and other groups that were brought into American society through colonization, conquest, or slavery (termed *involuntary minorities*) have greater difficulty than other minority groups in overcoming barriers to academic success such as discontinuities between their home and school experiences, as well as discriminatory treatment in school and the larger society. This is due to the perceptions of involuntary minority groups regarding how society, or any particular domain or institution within society, works and their respective understandings of their places in that working order. It is suggested that involuntary minority groups tend to interpret the social, economic, and political barriers they face in the United States as permanent and institutionalized discrimination perpetuated against them by members of the "dominant" societal group and by dominant-group-controlled institutions such as schools. Consequently, although members of involuntary minority groups frequently emphasize the importance of education in the achievement of economic or social success, this verbal endorsement often belies a serious educational commitment because they view education as

providing few extrinsic rewards (such as better future employment opportunities) since the societal barriers they face are perceived as intractable. In addition, American Indians and other involuntary minorities tend to respond to discriminatory treatment by the dominant group, including historical attempts at forced assimilation into mainstream culture in the case of American Indians, by developing an *oppositional identity* in relation to the dominant group. Within this oppositional identity, cultural and language differences are considered symbols of group identity that should be maintained. (These symbols support a sense of collective or social identity in a minority group and help the group cope under conditions of subordination.) Oppositional identities negatively influence school success because involuntary minorities do not make a clear distinction between what needs to be learned in order to succeed academically, such as the standard language and the standard behavior practices of the school, and the values, behaviors, and other characteristics of the dominant societal group (which may be seen as the cultural traits of their "oppressors"). Hence, learning the standard language and behavior practices of the school are viewed as detrimental to the minority groups' own culture, language and identity, which in turn leads to resistance (whether conscious or unconscious) or ambivalence toward school learning.

- Although many American Indians are fluent speakers of what is commonly considered to be standard English, the first language learned by two-thirds of American Indian youth today is *Indian English*. The term Indian English refers to the broad category of English dialects used by American Indians that do not conform in certain ways to standard English. The varieties of Indian English often differ from standard English in aspects of grammar, phonology, semantics, and rules of discourse. However, they are nonetheless well-ordered and highly structured languages that reflect the linguistic competencies that must underlie all languages.
- The numerous varieties of Indian English serve valuable purposes in the speech communities in which they are used, even among individuals who speak their ancestral language, standard English, or both. Indian English fluency is a way of reinforcing one's cultural identity for many American Indians, and it is of particular importance where Indian English is the only Indian-related language tradition that has been maintained in a community or the only such language tradition that older community members have been willing to pass on to the younger generation. Under such circumstances, Indian English fluency becomes a highly valued social skill, and the nonstandard aspects of the Indian English variety take on an even greater cultural significance.
- Research in the area of cultural difference theory suggests that many American Indian students in the public schools experience a discontinuity between the learning styles they come to school with and the learning styles that are supported and rewarded in typical U.S. classrooms. Teachers may be able to facilitate better the learning of all students by adapting their teaching styles and methods of instruction so that a broad range of learning styles is supported. In doing so, both American Indian students and non-Indian students can be provided with familiar, comfortable, and successful experiences while also being exposed to learning in new ways. Classroom modifications that support the range of student learning styles include, but are not limited to, (1) supplementing traditional forms of instruction with cooperative learning strategies, (2) providing multisensory instruction, and (3) increasing the holistic emphasis in student learning.

- Research in the area of cultural difference theory also suggests that many American Indian students in the public schools face a discontinuity between the varieties of English that they speak and the types of English spoken by their non-Indian peers and teachers. Teachers should take steps to minimize the difficulties arising from such sociolinguistic discontinuities, starting with an effort to learn about the languages and cultures of their American Indian students' communities. This process should help to provide teachers with insight into the culturally derived assumptions that their American Indian students bring with them to the classroom about what constitutes appropriate language use as well as how these assumptions differ from their own. This insight can be used to recognize the sources of the miscommunication that often occurs between American Indian students and their teachers, which, in and of itself, may reduce the degree of miscommunication. Teachers can also use such insight to modify instruction so that it presents fewer difficulties for their American Indian students.
- The macrostructural explanation for the relatively low level of academic success among American Indians suggests that by reducing the degree to which American Indian students view success in school as detrimental to their own culture, language and identity, the academic success of these students can be increased. An important method for reducing the degree to which American Indian students view school success in this manner is for the curriculum to reflect a balanced, multicultural focus that integrates the contemporary, historical, and cultural perspectives of American Indians. Such a curriculum should not simply incorporate a generalized consideration of American Indians, but it should include a focus on local and regional American Indian communities. It should also be consciously utilized to foster intercultural harmony in the school.
- The macrostructural explanation also suggests that it is important for teachers to focus on the intrinsic motivation of American Indian students toward school learning. Ways of increasing the intrinsic motivation of American Indian students include (1) providing a multicultural curriculum; (2) providing instruction that is sensitive to both sociolinguistic differences and diverse learning styles; (3) increasing the curriculum's personal relevance to the students by contextualizing instruction in the learners' experience or previous knowledge; (4) giving students a choice in how and what they learn; (5) connecting academic endeavors to real purposes valued by the students; (6) generating products for real audiences; and (7) replacing passive teaching methods with active learning in which students are encouraged to interact with peers, teachers, and their environment and in which students are encouraged to be active participants in their educations.
- Mainstream teachers are often presented with what to them is a confounding degree of silence from their American Indian students, especially among children in the upper grades. Depending on the particular classroom and students, this silence is probably a variable and complicated mixture of (1) student discomfort with classroom norms of behavior and language use that are incongruous with the norms they have learned in their homes and communities, (2) student conformity to their communities' standards of etiquette regarding when it is appropriate to speak instead of conformity to the standards of mainstream classrooms, and (3) student resistance toward the school and teacher. Student resistance may result from student beliefs that school success is detrimental to their own cultures, languages, and

identities. Among adolescents, resistance may also result from student perceptions that their teachers do not "care" about them.

- In order to address American Indian student silence in the classroom, teachers should (1) learn about the norms of behavior and language use that students learn in their homes and communities and minimize the discontinuities these students experience in the classroom; (2) modify their classrooms in ways that reduce the degree to which American Indian students view success in school as detrimental to their own culture, language, and identity; and (3) provide adolescent students with increased individual attention and foster warm personal relationships with them.
- Teachers should endeavor to facilitate strong collaboration between the homes of American Indian children and the school. Such collaboration should be an ongoing effort at outreach that focuses on positive contacts with homes and not simply crisis intervention or teacher reminders to parents to make sure their children study. A primary benefit of strong, positive collaboration between teachers and American Indian parents is the amelioration of parental perceptions that schools, as institutions controlled by the dominant societal group, lack legitimacy. Improving parental perceptions of schools will, in turn, make it easier for American Indian parents to teach their children effectively to accept, internalize, and follow the school rules and practices that lead to academic success.
- In attempting to increase home/school collaboration, teachers should be sensitive to the numerous factors that can hinder American Indian parental involvement. In addition to parental suspicion of the schools that teachers represent and poor perceptions of school legitimacy, American Indian parents often face formidable cultural, linguistic and socioeconomic barriers to school involvement.
- Teachers should endeavor to become participants in their American Indian students' communities and to learn about the specific linguistic and cultural backgrounds of their students. Such knowledge is necessary in order to implement classroom modifications that better meet the educational needs of American Indian students.
- On a group-wide level, American Indian children are at a relatively high risk of developing reading difficulties. In order to foster the reading development of their American Indian students, teachers should provide students with experiences within a culturally relevant and appropriate learning environment, with instructional materials mirroring the experiences and speaking vocabularies of early readers to the greatest extent possible. In addition, because of the well-documented link between vocabulary size and early reading ability, American Indian students should have numerous opportunities to develop their English vocabulary necessary for the domain of school.
- Possessing appropriate background knowledge for understanding the content information presented in a text is a crucial factor in reading comprehension. However, the cultural background of American Indian students is often different from the culture embedded in the reading material they encounter in school, which can result in these students lacking the background knowledge needed to achieve high levels of reading comprehension. Therefore, it is important that teachers be particularly sensitive to reading problems that result from differences between students' background knowledge and the implicit cultural knowledge that a text presupposes. Educators who work with American Indian students are urged to find appropriate ways to minimize cultural conflicts and interference in order to maximize

comprehension. Some effective strategies include (1) encouraging students to read a variety of books for pleasure, (2) preparing students for reading through brainstorming, (3) categorizing main concepts and discussing these concepts with students, (4) introducing different active reading strategies, (5) integrating reading with language arts in order to deepen the understanding of the main concepts, (6) asking questions that focus on the comprehension process, and (7) providing active and deliberate vocabulary instruction.

- Strengthening the standard English skills of American Indian students who lack a high level of standard English fluency is important in improving the academic standing of these students and to increasing their educational opportunities. Teachers should help those American Indian students who lack a high degree of standard English fluency to improve their standard English skills, while at the same time avoiding casting these students' home language (whether this is a native language or a variety of Indian English) in a negative light. In providing instruction to improve standard English skills, it is important that teachers recognize that the intent of such instruction is simply to strengthen students' standard English skills so that they have access to the language of the classroom; teachers should not erroneously assume that these children need, or should be expected, to change language patterns for use outside of the classroom.

Section I

The History of American Indian Education

To appreciate the educational issues currently faced by American Indians, one must first have some understanding of the history of the U.S. government's role in American Indian education. This history strongly influences the perceptions of many American Indians toward schools today. In this section we provide a brief review of this history and its impacts on American Indian communities, while postponing a discussion of its implications for teachers until the fourth section of this document.[3]

The history of the U.S. government's role in American Indian education can only be properly understood through a focus that is inclusive of the broader historical context of federal/tribal relations. In the first few decades after the American Revolution, the federal government "generally pursued a policy of reconciliation and peace toward Indian tribes" (Grossman, 1979, p.4). Although some political leaders endorsed this policy as a matter of principle, it was primarily a result of the federal government's desire to conserve the nation's resources and its aversion to maintaining a standing army (Grossman, 1979). However, with victories over Great Britain in 1783 and 1815, the accompanying defeat of the eastern tribes in the War of 1812, and the displacement of Spain from Florida in 1819, the pressures on the U.S. from rival powers were greatly diminished. Subsequently, with less need to foster amiable relations with American Indian tribes and more reason to clear them from land desired for national expansion, federal-Indian policy changed to one of American Indian removal (Fritz, 1963; Minugh, Morris, and Ryser, 1989; Prucha, 1985; Shattuck and Norgren, 1991). Under this policy, eastern tribes were to be relocated to the "Great American Desert," which, it was thought, would never be desirable for white settlement. Fritz (1963) notes that "through the alternation of persuasion and force, the removal policy resulted in the transportation of the bulk of the eastern tribes beyond the Mississippi River and their establishment on the edge of the Great Plains" (p.17). However, although these tribes were moved to areas that were promised to them in perpetuity, continued U.S. expansion soon negated these agreements. Many tribes, first relocated to Arkansas, Kansas, Iowa, Illinois, Missouri and Wisconsin, were soon forced to move even farther west to the Oklahoma Indian Territory.

With the discovery of gold in California in 1848, which brought thousands of settlers to the West and heightened the desire for American Indian land, the removal policy became an increasingly untenable option for dealing with the "Indian problem" (Shattuck and Norgren, 1991). In response, the federal government began to settle upon a new policy that called for the assimilation of American Indians into mainstream American culture (Provenzo and McCloskey, 1981). Although there were many methods used to achieve this policy of assimilation, education played a crucial role. Through schools it was hoped that American Indians could be stripped of their native languages and cultures and could be induced to learn English and to adopt the white

[3] For an expanded discussion of the U.S. government's historical role in American Indian education see, for example, Reyhner and Eder (1992). For an expanded discussion of the history of the U.S. government's policies toward American Indians, see the addendum to this document.

man's religion and way of life (McKellips, 1992; Provenzo and McCloskey, 1981).[4] By 1887, more than 200 "Indian schools" had been established under federal supervision, with an enrollment of over 14,000 American Indian students (Pevar, 1992; Utter, 1993). Pevar (1992) notes that the history of these schools' "authoritarian rule is notorious; for example, students were severely punished if they spoke their native language or practiced their traditions" (p.4).

The most famous government school for American Indians was Carlisle. The first off-reservation government boarding school, Carlisle was established in 1879 by a former military officer named Henry Pratt. Pratt's motto was "Kill the Indian and save the man" (Utter, 1993, p.196). By the turn of the century almost half of the American Indian schools under federal supervision were such boarding schools, and American Indian children were routinely forcibly removed from their families to be placed in them.

Although the overt policy of assimilation in this manner was repudiated by 1936, it was not until the 1970s that significant substantive change in the nature of these schools began to occur. In fact, American Indians and their communities are still dealing with these schools' long-lasting and profoundly negative influences. The Swinomish Tribal Mental Health Project (1991) describes the enormous degree of social disruption and cultural degradation that resulted from this federal goal of assimilation through education, especially in regard to the attempt at eradicating American Indian languages:

> Boarding schools were major agents in the loss of Indian languages. Children who were caught speaking Indian languages were rapped on the knuckles or made to stand in corners with rags tied around their mouths. Many children forgot their languages or became ashamed to even admit that they knew them....
>
> Language is the major carrier of culture.... When the language is lost, a great deal of the culture is lost also. Many things cannot be fully translated. With the words, sounds and rhythm of native speech goes the heart of the culture. *Nothing was done more to weaken Indian culture than attacks on Indian languages made in B.I.A.* [Bureau of Indian Affairs] *boarding schools....*[5]
>
> *Many Indian children who spent their formative years in boarding schools grew up unable to fit comfortably into either Indian or non-Indian society.* These children had essentially lost their parents and the chance of a normal family life. They had been subjected to rigorous discipline combined with attacks on their personal and cultural identity, and denied nurturing relationships with any adults....
>
> *When and if these children returned to their tribes, they often had difficulty fitting into a family and tribal life which they did not completely understand. Having been denied normal Indian childhood experiences and role models, they were delayed in their social and emotional development as Indian people. A large number of these children developed severe problems in adulthood, such as alcoholism, depression and violent behavior.*
>
> *One lasting consequence of the boarding school experience has been an upsurge in child neglect and a cycle of removal of successive generations of Indian children from their parents.* Young Indian parents who had been virtually reared in boarding schools did not learn from their own families how to raise children. In particular,

[4] This hope that schools would serve as a major tool for the assimilation of American Indians was not new. However, most previous efforts had been limited to missionary societies interested in "saving souls" (McKellips, 1992; Rehyner and Eder, 1992).

[5] For more detailed discussions of American Indian language loss, including issues of language stabilization and renewal, see, for example, Boseker (1998), Cantoni (1996, 1997), Cleary and Peacock (1998) and Reyhner (1992b).

> they received the non-verbal message that Indian people could not be good parents. Alienated, angry and depressed, these young parents often were unprepared to care for children and to provide their own children with nurturing they had not received themselves. Although the Indian tradition of multiple adult caretakers for all children in the family has been extremely helpful in many cases, it is an inescapable fact of Indian life that entire generations of parents (now for the most part in their middle years) were denied the experience of a normal Indian family life [italics in original]. (p.35)

With the start of the twentieth century, the federal government began to shift responsibility for the education of American Indians to the states. "By 1912 there were more Indian children in public [state] schools than in government [federal] schools and the number of government schools for Indian children began to decline" (Reyhner and Eder, 1992, p.50). Today, American Indian children are served by several different types of schools:

> There are BIA boarding and day schools, now increasingly under local control but still tied up with myriad government regulations; tribally controlled schools operated under contracts and grants from the Bureau of Indian Affairs; and mission schools operated by various churches. Public schools serve the largest number of Native students and tend to look like public schools anywhere, even when they are located on Indian reservations. (Reyhner, 1994, p.17)

Although American Indian children in these schools may not experience the degree of overt and concerted assault on their languages and cultures that American Indians experienced in previous decades, American Indian children still often experience personal and institutional racism in school. Testimony gathered during the U.S. Secretary of Education's Indian Nations at Risk Task Force hearings in 1990 and 1991

> indicated that many Native students still attend schools with "an unfriendly school climate that fails to promote appropriate academic, social, cultural, and spiritual development among many Native students." Such schools also tended to exhibit a Eurocentric curriculum, low teacher expectations, "a lack of Native educators as role models," and "overt and subtle racism." These factors contributed to Native students having the highest high school dropout rate (36%) of any minority group in the United States. (Reyhner, 1994, p.16)

Section II

Sources of Educational Difficulties Among American Indian Students

Although many American Indian students are successful in the current formal educational system, this system is nonetheless relatively ineffective in meeting the needs of American Indian students on a group-wide level. For years, many teachers and administrators have realized that for students in general, and language- and cultural-minority students in particular, academic success stems from the cumulative effect of excellent classroom instruction and learning environments that are supportive and culturally appropriate. Yet many classrooms still fail to fully provide American Indian students with these prerequisites to academic success; numerous teachers witness the silent, subconscious cultural discomfort of many American Indian children that effects their learning and achievement in the classroom (Tennant, 1998).

Quantitative data reflect such anecdotal evidence of the current formal educational system's relative ineffectiveness in regard to American Indian students. Nationally, American Indian students have the highest high school dropout rate of any minority group (Reyhner, 1994). In Washington State, American Indian elementary and secondary school students score below state and national averages on standardized achievement tests (Office of Superintendent of Public Instruction [OSPI], 1994, 1998c).[6,7] In this section we discuss what current research and theory suggests are the primary reasons for this relatively low level of academic success among American Indian students.

Cultural Difference Theory

In recent years, a number of researchers and theorists have suggested that a primary reason for the relatively low level of academic success among minority students in the United States (including American Indians) is that there is often a discontinuity between the cultures and languages of these students' homes and communities and the culture and language of mainstream American society and the public schools. According to this theory, minority students come from backgrounds that equip them with linguistic, cognitive, and interactional styles that are not fully supported by typical public schools which are instead usually structured to support those styles common to white, middle-class students. It is believed that these discontinuities often result in systematic and recurrent miscommunication in the classroom as well as a failure to acknowledge and build upon the knowledge and abilities that minority students bring with them to school. The following discussion addresses the two most common foci of research on the cultural

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[6] Summaries of the 1997 and 1998 administrations of the Washington Assessment of Student Learning (WASL) test, including breakdowns of the results by ethnic group, are available online at http://www.k12.wa.gov

[7] According to OSPI (1998b), American Indians represented 2.77 percent of the students in Washington's public schools in 1997. Collectively, school districts in King County had the most American Indian students, with 4,222 American Indian enrollees. Pierce County followed King County, with 3,481 American Indian students. However, school districts in Ferry County, with only 285 American Indian enrollees during 1997, nevertheless had the largest percentage of American Indian students in relation to their total student enrollment: 22.04 percent.

differences faced by American Indian students: sociolinguistic discontinuities and learning style differences.[8]

Sociolinguistic Discontinuity

Researchers and theorists have suggested that American Indian students often face a discontinuity in typical U.S. classrooms between the varieties of English that they speak (in terms of vocabulary, grammar, phonology, and rules of discourse)[9] and the types of English spoken by their non-Indian peers and teachers. Research conducted by Leap (1993) and Phillips (1983) supports this hypothesis. Although conducted in separate American Indian communities, these studies nonetheless found that American Indian students in both locations possessed culturally derived assumptions about what constituted appropriate language use in classroom settings that differed in a number of ways from the assumptions of their "Anglo" peers and teachers.[10, 11] One example of this is Leap's finding that non-Indian teachers typically expect a continuity of discourse, believing that all comments in a given discussion should "build directly on the point of view outlined in the initial speaker's remarks," while Ute Indian students assume that continuity of discourse depends on listeners' use of inference and therefore "speakers are not obligated to connect their comments to the preceding speaker's remarks" (1993, p.217–218). Another example is Phillips' finding that Warm Springs Indian children learn culturally appropriate ways of conveying attention and regulating speaking turns that differ in many ways from what their Anglo teachers and peers assume to be appropriate. For instance, while Anglo individuals frequently use gestures, direct eye contact, and verbal rejoinders to indicate that they are listening to what others are saying to them, Warm Springs Indians use less direct cues to show that they are paying attention.

Cultural difference theorists argue that differing assumptions about appropriate language use such as these contribute to routine miscommunication in the classroom as well as a general uncertainty in American Indian children "as they find they do not understand the teacher, and the teacher does not understand them" (Phillips, 1983, p.127). Erickson (1993) points out that

> to the extent that either party [teacher or student] ... reflects on the situation, cultural explanations for what is happening do not occur to them. The teacher tends to use clinical labels and to attribute internal traits to students (e.g., "unmotivated") rather than seeing what is happening in terms of invisible cultural differences. Nor does the teacher see student behavior as interactionally generated - a dialectical relation in which the teacher is inadvertently coproducing with students the very behavior that he or she is taking as evidence of an individual characteristic of the

[8] A number of alternate theories have been put forth over time as to the reason for the relatively low level of educational success among American Indians and other minority students in comparison to white, middle-class students (e.g., cultural deficit theory). However, in this document we address only those theories that are currently widely accepted among educational researchers and theorists. For an overview of the more historically influential theories not presented in this document see Jacob and Jordan (1993).

[9] Grammar is defined as "the way a language manipulates and combines words (or bits of words) in order to form longer units of meaning" (Ur, 1988, p.4). Phonology "refers to the sound structure of speech sounds" (Snow, Burns, and Griffin, 1998, p.46). The term "rules of discourse" refers to the rules that guide conversation.

[10] Leap (1993) conducted research on and near the reservation of the Uintah and Ouray Tribe of Ute Indians, Inc. Phillips (1983) conducted research on and near the reservation of the Warm Springs Confederated Tribes.

[11] Phillips (1983) uses the term Anglo to refer to white Americans whose culture shows a strong British influence.

> student. Given the power difference between teacher and student, what could be seen as an interactional phenomenon to which teacher and student both contribute ends up institutionalized as an official diagnosis of student deficiency. (p.29–30)

Also contributing to classroom miscommunication are grammatical and phonological differences between the nonstandard varieties of English often spoken by American Indian students (varieties that are collectively termed *Indian English*) and the variety of English spoken by their teachers. These differences may cause a teacher to misunderstand a child or to define what he or she hears as unacceptable. In addition, Leap argues that among the American Indian students he studied, such differences (specifically pronunciation differences) resulted in students encountering difficulties mastering the standard spellings of words. Furthermore, Leap found that these students' written compositions were influenced by Indian English grammar and rules of discourse; although Leap argues that such influences did not diminish the expressive power of these compositions, they nonetheless resulted in student writing that was not always consistent with classroom expectations of standard English literacy.[12]

Wlodkowski and Ginsberg (1995) assert that an additional problem that Indian English-speaking students face is that

> when learners and teachers differ in language, teachers frequently use their own language as a normative reference.... They consider "standard English" as language, instead of *a* language. As a result, learners who speak a different version of English are seen as language deficient. Rather than the issue being defined as an object for teaching in the area of "standard English" the learner is seen as impaired and using "inferior English." The most common result of this perspective, and the one most disastrous to the attitude of the learner and the teacher, is a lowered learning expectation on the part of the teacher for the student. There is clear and long-standing evidence that low expectations on the part of teachers lead to lower motivation and learning on the part of students [italics in original]. (p.147)

Learning Style

It is also frequently asserted that American Indian students often face discontinuities in relation to learning styles. Before exploring this argument however, it is necessary to provide an overview of learning style theory generally. The term "learning style" lacks a standard definition among researchers, but in its broadest sense the term refers to the "characteristic or usual strategies of acquiring knowledge, skills and understanding by an individual" (More, 1989, p.17). Research in the area of learning styles has provided various nonmutually-exclusive typologies that are intended to provide a lens through which to identify individual differences among learners. Examples of learning style typologies include:

- **Sensory Modality Strength:** This typology categorizes learners according to the type of sensory input they utilize most for information. Learners are categorized as: *visual,* meaning they remember best by seeing or reading; *auditory,* meaning they remember best by hearing;

[12] Leap (1993) notes that a number of other studies found the oral and written English of Indian English speakers to be "less closely aligned" than in his study.

or *tactile-kinesthetic*, meaning they remember best by writing or using their hands in a manipulative way.

- **Global/Analytic:** This typology categorizes learners as *global* or *analytic*. Global learners initially require an overall picture when learning a task. In contrast, analytic learners are fact oriented and proceed with learning a task in a step-by-step manner.
- **Field Sensitivity/Field Independence:** This typology categorizes learners as *field-sensitive* or *field-independent*, depending on how their perceptions are affected by the surrounding environment. Field-sensitive learners enjoy working with others to achieve a common goal, and most often look to the teacher for guidance and demonstration. Field-independent learners enjoy working independently, like to compete, and ask for teacher assistance only in relation to the current task.
- **Impulsive/Reflective:** This typology categorizes learners according to the speed with which they respond to questions and the corresponding rate of error. *Impulsive learners* respond more quickly and usually with a higher rate of error. *Reflective learners* respond more slowly and have a lower rate of error.
- **Cooperation/Individualism:** This typology categorizes learners as *cooperative* or *individualistic*. Cooperative learners excel in community projects and in group activities designed to encourage collaboration among students. Individualistic learners do best in more competitive and teacher-centered settings.[13]

It is generally believed among researchers that an individual's strengths or preferences in relation to the categories within such typologies (i.e., his or her learning style) result from the interaction of innate predispositions and developmental processes with social and cultural influences (Guild, 1998; Henry and Pepper, 1990).

Researchers and theorists have asserted that American Indian students often face a discontinuity between the learning styles that they come to school with and the learning styles that are supported and rewarded in typical U.S. classrooms. Research suggests that American Indians typically (1) value and develop acute visual discrimination and skills in the use of imagery, (2) value cooperative behavior and excel in cooperative environments, (3) perceive globally, and (4) are reflective learners (Cleary and Peacock, 1998; Guild, 1998; More, 1989; Swisher, 1990; Swisher and Deyhle, 1989). In contrast, it is believed that white middle-class individuals typically (1) value and develop refined verbal skills, (2) value competition among individuals and excel as independent learners, (3) perceive analytically, and (4) are impulsive learners (Guild, 1998; More, 1989; Wlodkowski and Ginsberg, 1995). Because the characteristics typical of the latter group are usually more valued and supported in U.S. classrooms, American Indian students are placed at a disadvantage.

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[13] It should be noted that the categories within these typologies are not usually considered mutually exclusive, but are instead considered to exist upon a continuum. Furthermore, although an individual may be categorized according to the strategies he or she usually employs while learning, this is not meant to suggest that he or she cannot learn in other ways. For example, an individualistic learner is not completely unable to learn in collaborative group activities. These categories are only meant to describe the relative strengths or preferences (depending on the definition employed by the researcher) of a learner.

One common example of the discontinuities that American Indians often face between their learning styles and those supported in typical U.S. classrooms is grounded in the distinction between *trial-and-error learning* and *watch-then-do learning* (Boseker, 1998; More, 1989). A number of researchers have noted that American Indians tend to learn how to perform an activity by repeatedly observing the activity being done by a competent other, perhaps practicing in private, and not attempting to perform the activity publicly until confident that it can be done well (More, 1989; Rhodes, 1988; Swisher, 1990; Swisher and Deyhle, 1989). Wax, Wax, and Dumont (1964) state that "Indians tend to ridicule the person who performs clumsily; an individual should not attempt an action unless he knows how to do it; and if he does not know, then he should watch until he has understood" (p.95, as cited in Swisher and Deyhle, 1989). More (1989) notes that this watch-then-do type of learning

> is very different from the trail-and-error learning which is usually encouraged in the classroom. Trial-and-error learning means that a student "tries out" an answer verbally and successively refines the answer after feedback on errors from the teacher or from fellow students. In skill learning it involves trying the new skill and working on the errors to improve performance. (p.19)

Guild (1998) argues that when there are inconsistencies such as this between a child's learning style and "school expectations and patterns, the child needs to make a difficult daily adjustment to the culture of the school and his or her teachers" (p.104). Similarly, Leaver (1997) states that when teachers' "teaching styles do not match students' learning preferences, conflicts usually occur" (p.69).

The Macrostructural Explanation

Research conducted by John Ogbu (e.g., Ogbu, 1978) suggests that although discontinuities in linguistic, cognitive, and interactional styles may present challenges to American Indians and other minority students, cultural difference theory is inadequate because it fails to explain why some minority groups in the United States are academically successful despite the fact that members of these groups encounter such discontinuities in their educational experiences. According to Ogbu (1991), this theory fails to explain such occurrences due to a limited focus and a failure to consider both (1) the historical and broad societal forces that can encourage or discourage members of minority groups from striving for school success, and (2) a minority group's "collective orientation toward schooling and striving for school success as a factor in academic achievement" (p.6). Ogbu argues that a more comprehensive theory is one that not only considers the discontinuities minority students experience in school, but also addresses the discriminatory treatment (whether political, economic, or otherwise) experienced by particular minority groups at the hands of the dominant societal group. Furthermore, and more importantly, a more comprehensive theory is one that addresses individual minority groups' *cultural models* (i.e., their respective understandings of how society, or any particular domain or institution within society, works, as well as their respective understandings of their places in that working order) (Ogbu, 1991).

A primary component of the more comprehensive theory that Ogbu presents is the distinction between *immigrant minorities* and *involuntary minorities*. Immigrant minorities are

groups that "have generally moved to their present societies because they believed that the move would lead to more economic well-being, better overall opportunities or greater political freedom" (1991, p.8). Examples include Japanese and Chinese immigrants to the United States. In contrast, involuntary minorities are groups that "were brought into their present society through slavery, conquest or colonization" (1991, p.9). Examples include American Indians and African-Americans in the United States. Ogbu notes that while both immigrant and involuntary minorities routinely experience discontinuities in their school experiences, as well as discriminatory treatment in school and the larger society, immigrant minorities tend to have a much higher degree of academic success than involuntary minorities. He argues that this results from the qualitatively different cultural models possessed by these two groups which causes them to perceive and respond to the dominant societal group, and the institutions controlled by it, in different ways.[14]

Immigrant minorities tend to respond to economic, political, and social barriers as problems they can overcome "with the passage of time, hard work, or more education" (1991, p.11). These barriers are perceived as largely temporary and a price to be paid as immigrants to a foreign country. Furthermore, immigrant minorities have a "positive dual frame of reference," meaning that they evaluate their current and potential economic, political, and social status in reference to members of their homeland, not to the dominant group in their host society.

Immigrant minorities also tend to interpret the cultural and language differences that they encounter in school and the workplace as problems to be overcome in order to achieve the goals of emigration. Hence, although immigrant-minority students routinely encounter difficulties in school due to cultural and language discontinuities as well as discrimination, their parents and communities instill in them the need to learn those aspects of the language and culture of their schools that are necessary to succeed academically. Significantly, immigrant minorities do not interpret such behaviors as giving up their own culture and language, and at least during the first generation they retain a strong sense of the cultural identity that they brought with them to the United States.

In contrast, involuntary minorities such as American Indians interpret the social, economic, and political barriers against them quite differently. Unlike immigrant minorities, they compare their status with that of the dominant group and conclude that "they are worse off than they ought to be for no other reason than that they belong to a subordinate and disparaged minority group" (1991, p.14). Furthermore, they do not view their situation as temporary, but instead attribute their poorer conditions to what they perceive as permanent and institutionalized discrimination "perpetuated against them by dominant-group members and by dominant-group-controlled institutions such as schools" (1991, p.23). Consequently, although involuntary minorities emphasize the importance of education in the achievement of economic or social success, "this verbal endorsement is usually not accompanied by the necessary effort" (1991, p.24). Instead, they tend to develop "folk theories of getting ahead" in which schooling does not play a primary role. These theories are reinforced in the minds of children as they get older and become aware "of how some adults in their local communities 'make it' without mainstream

[14] It is important to note that Ogbu's generalizations regarding the distinctive features of immigrant and involuntary minorities are intended to be heuristic and are not meant to deny that there are individual and subgroup differences within minority groups.

school credentials" (1991, p.25). For example, Kramer (1991) found that Ute Indians did not feel that education was particularly important, citing the fact that some of their Tribal Council leaders had only a few years of elementary school education. Furthermore, "tribal members with college degrees did little better in tribal employment than those who had not completed a secondary education" (p.298).

Also in contrast to immigrant minorities, American Indians and other involuntary minorities do not consider cultural and language differences between themselves and the dominant societal group as barriers to be overcome. Instead, involuntary minorities tend to respond to discriminatory treatment by the dominant group, including historical attempts at forced assimilation in the case of American Indians, by developing an *oppositional identity* in relation to the dominant group. Within this oppositional identity, cultural and language differences are considered "symbols of identity to be maintained" (Ogbu, 1991, p.15). These symbols support a sense of collective or social identity in a minority group and help the group cope under conditions of subordination.

Oppositional identities negatively influence school success because involuntary minorities, unlike immigrant minorities, do not make a clear distinction

> between what they have to learn or do in order to succeed in school (such as learning the standard language and the standard behavior practices of the school) and the dominant-group's cultural frame of reference (which may be seen as the cultural frame of reference of their "oppressors"). (Ogbu, 1991, p.26)

Hence, learning the standard language and the standard behavior practices of the school are viewed as detrimental to the minority groups' own culture, language and identity, which in turn leads to resistance (whether conscious or unconscious) or ambivalence toward school learning. Involuntary-minority students who adopt attitudes conducive to school success, or who behave in a manner favorable to academic success, risk being accused by their peers of acting like the enemy (i.e., the oppressive, dominant societal group). Involuntary-minority students who nevertheless strive toward academic success often feel compelled to utilize strategies to conceal this from their peers, such as becoming the "class clown," pretending not to be concerned with academic excellence, et cetera.

Hence, Ogbu's work suggests that for American Indians the hindrances to academic success are not limited to classroom discontinuities in linguistic, cognitive, and interactional styles. American Indians also tend to view education as providing few extrinsic rewards, such as better future employment opportunities, given their interpretation of the social, economic, and political barriers they face in mainstream society. Furthermore, American Indians, like other involuntary minorities, tend to develop an oppositional identity that conflicts with the adoption of attitudes and behaviors conducive to school success.

Section III
Indian English

The term Indian English refers to the broad category of English dialects used by American Indians that do not conform in certain ways to what is commonly considered to be standard English. The varieties of Indian English often differ from standard English in aspects of grammar, phonology, semantics, and rules of discourse. However, they are nonetheless well-ordered and highly structured languages, "reflecting the linguistic competencies that must underlie all languages" (Fletcher, 1983, p.2). Although many American Indians are fluent speakers of standard English, Indian English is the first language learned by two-thirds of American Indian youth today (Leap, 1993). In this section we provide a brief discussion of the distinctive features of Indian English and the importance of Indian English varieties within the speech communities in which they are used.

Leap (1993), in a review of the literature on Indian English, discusses the ways in which these English varieties differ from standard English:

- The phonologies of Indian English varieties and standard English often differ in a number of respects. For instance, Navajo English speaking students "will exchange [i] and [e], [iy] and [i], and [ey] for [e] (that is, high front vs. mid front; high front long vs. high front short; and mid front long vs. mid front short)" (p. 45).
- Word formation and marking conventions in Indian English often differ from those in standard English. For instance, Indian English varieties commonly have "a lower frequency of plural and possessive suffix marking than found in other English codes" (p.53).
- Some Indian English varieties have grammars which allow *left-branching* rather than *right-branching* syntactic constructions. For example, *"They ride bikes is what I see them do"* and *"From the family is where we learn to be good* [italics in original]*"* (p.77).
- Speakers of Indian English use articles and demonstrative pronouns differently from standard English speakers. For instance, "for some Indian English speakers, articles simply do not occur in noun-based English constructions - for example, in Navajo English *They find bone in deep yard* or *He asked shopkeeper for sheep* [italics in original]" (p.55).
- Passive constructions with the verb "to get" rather than "to be" are common in Indian English varieties. For example, *"The fly got bitten by the spider* [italics in original]*"* (p.69).
- Many Indian English varieties allow for sentence constructions involving the deletion of the verbs "to get," "to have" and "to be." For example, *"She _ Red Corn people"* and *"Then they would tell them what law he _ broken* [italics in original]*"* (p.70).

Leap also states that, in addition to the differences listed above, Indian English varieties differ to some degree from standard English in their pragmatics systems.[15] One way the

[15] The term pragmatics "refers to the ways the members of the speech community achieve their goals using language" (Snow, et al., 1998, p.46).

pragmatics systems can differ is in the rules of appropriate question-asking. For example, in Lakota English,

> request-oriented questions - such as are necessary when students need new writing instruments so they can complete a seatwork assignment - are worded much more abruptly: *Teacher, you must give me a pencil!* For persons unfamiliar with Lakota English usage, such statements take teacher generosity for granted and ignore the social distance that always separates teachers and students in classroom settings. Persons familiar with Lakota community verbal etiquette realize that these statements closely parallel the "imperative verb" constructions in the speakers' ancestral language and that Lakota speakers regularly use such constructions when making requests of kinspeople and other close friends [italics in original]. (p.86)

The pragmatics systems of Indian English varieties may also differ from the pragmatics system of standard English in regard to the use of silence. Leap suggests that the use of silence is an appropriate response within at least some Indian English varieties when individuals interact with strangers or are "involved in social domains where the assumptions about behavior are not completely clear" (p.87). (See "American Indian Student Silence" in the fourth section of this document for an expanded discussion of the sources of silence among American Indian students.)

Finally, Leap states that the pragmatics systems can also differ in terms of their principles of cooperative discourse (i.e., the assumptions that help speakers find appropriate, efficient, and effective ways to use language in different situations). For example, the work of Phillips (1972, 1983, quoted in Leap, 1993) suggests that on the Warm Springs Indian reservation the following assumptions guide the language use of adult and child tribal members:

- "Face-to-face interaction is the most valued form of interpersonal communication.
- Talking is closely linked to other types of physical activity; talk is rarely the only form of action found in a speech event.
- Speaker age is closely related to speaker skill. To be a good talker, a speaker must be over age 35. Persons under age 35 should be good listeners and defer opportunities for speaking to their elders.
- Listening is a passive activity. Listeners use gaze direction and other indirect cues to show they are paying attention when someone else is talking.
- Speakers direct their comments to all participants in the audience, not to selected individuals" (Phillips, 1972, 1983 in Leap, 1993, p.80–81).

In contrast, language use within Warm Springs classrooms (which are environments that are controlled by non-Indian teachers) builds on entirely different assumptions:

- "Individualized activity, not face-to-face communication, is the valued form of action within this setting.
- Talk is a self-contained activity; talk occurs independently of other forms of classroom action and should not be disrupted by those actions.
- Age-level has nothing to do with language skill; all persons in the classroom should know how to control talk appropriately.

- Listening is an active activity. Listeners use gestures, direct eye contact, verbal rejoinders, and other clues to show that they understand what others are saying to them.
- Speakers stress the main points of their topic and need not dwell on what they consider the unimportant details" (Leap, 1993, p.81).

Numerous explanations have been offered as to the sources of the distinctive nature of Indian English varieties such as the linguistic influences of trade languages and forms of "Black English" vernacular. However, Leap (1993) argues that

> the distinctive characteristics of these codes derive, in large part, from their close association with their speakers' ancestral language traditions. In many cases, rules of grammar and discourse from that tradition provide the basis for grammar and discourse in these English codes - even in instances where the speakers are not fluent in their ancestral language. (p.281–282)[16]

Leap notes that these Indian English varieties serve valuable purposes in the speech communities in which they are used, even among individuals who speak their ancestral language, standard English, or both. Indian English is of particular importance where it is

> the only *Indian*-related language tradition that community members have maintained or the only such tradition that older community members have been willing to transmit to the younger generation. When this is the case, Indian English fluency becomes a highly valued social skill, and the nonstandard features of the Indian English conversation have an even greater cultural significance for their speakers [italics in original]. (p.3)

The work of Ogbu (e.g., 1991) suggests that, within such a context, Indian English fluency may be an important way for American Indian people who are not fluent in their ancestral language to nonetheless maintain an identity in opposition to the dominant societal group.

[16] For an expanded discussion of the theories regarding the linguistic influences on Indian English varieties (e.g., *target language adaptation* and *universal grammar*), as well as a discussion of the historical contexts within which these influences occurred, see Craig (1991).

Section IV
Implications for Teachers

The information presented in the previous sections has a number of significant implications for teachers of American Indian students. In this section we address some of the most pertinent of these implications, including adapting instruction to support a broad range of learning styles, minimizing sociolinguistic discontinuities, and reducing the degree to which American Indian students view success in school as detrimental to their own culture, language, and identity.

Adapting Instruction to Support a Broad Range of Learning Styles

It is sometimes suggested that the most appropriate method of addressing issues of learning style in regard to American Indian students is for teachers to adapt their teaching styles and methods of instruction to be more congruent with the learning style typical of these students (e.g., Diessner and Walker, 1989).[17] However, such an approach is inappropriate for three primary reasons. First, this approach fails to address what is to be done in classrooms that are only partially composed of American Indian students. Second, although research suggests that American Indians often share similarities in learning style, research also shows that the variations among individual American Indians are as great as their commonalties[18] and that individual American Indians, like individual members of other groups, should not be stereotyped in regard to their needs and abilities (Cleary and Peacock, 1998; Dunn and Griggs, 1995; Guild, 1998; More, 1989; Walker, Dodd, and Bigelow, 1989). Third, this approach overlooks the importance of increasing students' learning style flexibility by assisting them in learning to learn in new ways. Increasing this flexibility is important for all students because it allows them to apply a broader range of approaches to learning (Leaver, 1997; More, 1989), but for minority students it is of particular importance since it better prepares them for success in those institutions controlled by the dominant societal group (e.g., schools) (Cleary and Peacock, 1998; Osborne, 1989; Ramirez and Castaneda, 1974).

A more comprehensive approach is for teachers to adapt their teaching styles and methods of instruction so that a broad range of learning styles is supported. In doing so, children

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[17] Swisher (1994) distinguishes between "method of instruction" and "teaching style" by stating that method of instruction refers to how instruction is organized (e.g., lecture, small group work, or oral reports), while teaching style refers to a teacher's pervasive personal behaviors and media used while interacting with learners. The latter is the teacher's characteristic approach, irrespective of the method utilized.

[18] Similarly, it has been argued that students of any particular age will differ in their preferred ways of learning (Dunn and Griggs, 1995; Guild, 1998) and that an individual's learning style may vary according to the type of task being performed (Gardner, 1993; Wlodkowski and Ginsberg, 1995). Research also suggests that among American Indians, learning styles tend to vary in relation to variables such as gender, an individual's tribal background, and an individual's degree of assimilation into mainstream culture (More, 1989; Walker, Dodd, and Bigelow, 1989). This does not imply that Indian students are unable to learn certain skills.

can be provided with familiar, comfortable, and successful experiences while also being exposed to learning in new ways.[19] Endorsing such an approach, Reiff (1992) states,

> Planning appropriate and varied lessons will improve both instruction and management.... Realistically, a teacher cannot be expected to have a different lesson for every child in the classroom: however, lessons can reflect an understanding of individual differences by appropriately incorporating strategies for a variety of styles. (p.6)

However, Bennett (1985) asserts that in adapting their teaching styles and methods of instruction, it is important for teachers to evaluate their teaching strengths and preferences and determine how far they can stray from these and still be comfortable (Bennett, 1985, as cited in Swisher and Deyhle, 1989). Bennett further cautions teachers to "build classroom flexibility slowly, adding one new strategy at a time" (Swisher and Deyhle, 1989, p.10).

To the degree possible, children should be introduced to new ways of learning by "using a compatible style as a starting point or introduction" (Dunn and Griggs, 1995; Leaver, 1997; More, 1989; Ramirez and Castaneda, 1974; Wlodkowski and Ginsberg, 1995, p.148). More (1989) provides an example of such an approach in reference to reading instruction. He notes that the word recognition and sight-word vocabulary approaches to teaching reading are more consistent with the global learning style typical of young American Indians, but that these students nevertheless need to develop phonics skills (an analytic skill), which are more effective with complex words. He suggests that students' "phonics skills, which involve individual sounds and letters, can be developed, in part, using the students' global skill for completing the incomplete, viz: _nly, o_ly, on_y, onl_... [thereby] strengthening the weaker Learning Style using the stronger Learning Style" (p.23).

Examples of Classroom Modifications That Support the Range of Learning Styles

Although it is beyond the scope of this document to provide a comprehensive guide for making classroom modifications in support of the range of student learning styles, several examples of such modifications are provided below. Teachers are encouraged to explore the literature on the theories of learning style and their implications for the classroom; recent works include Dunn (1996), Dunn and Griggs (1995), Gardner (1993), Leaver (1997), Reiff (1992) and Vail (1992).

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[19] For a more intensive approach to modifying instruction to respond to the learning style needs of students (including teacher assessment of student learning styles and subsequent student-specific instructional modifications such as individualized assignments), see Leaver (1997); see also Dunn (1996) and Dunn and Griggs (1995).

Cooperative Learning

One example of how teachers can support the range of student learning styles better is to supplement traditional forms of instruction (i.e., individual seat work and teacher dominated whole-class discussions and lectures) with cooperative learning. Although there are many variations to the cooperative learning model, the elements most frequently cited as distinguishing it from traditional, whole-class instruction are:

- Heterogeneous groups of two to six students.
- Lessons structured in such a manner that students depend on each other in a positive way for their learning.
- An explicit focus on interpersonal and small group skills.
- Teachers as consultants or facilitators of learning as opposed to transmitters of the material.

In a review of studies done on cooperative learning, Slavin (1995) notes that it "is one of the most extensively evaluated of all instructional innovations" (p.19). His analysis of 90 experimental and quasi-experimental studies concludes that cooperative learning has a positive effect on student achievement and race relations. Furthermore, the studies indicate the overall effects on "student self-esteem, peer support for achievement, internal locus of control, time on-task, liking of class and classmates, cooperativeness, and other variables are positive and robust" (p.70).[20]

Research also suggests that cooperative learning can be particularly successful with American Indian students, who tend to feel more comfortable learning in small cooperative groups than participating in whole-class instruction (Phillips, 1983; Walker, Dodd, and Bigelow, 1989). For instance, Phillips (1972, 1983) found that

> it is in [small peer groups] that [Warm Springs] Indian students become most fully involved in what they are doing, concentrating completely on their work until it is completed, talking a great deal to one another within the group, and competing, with explicit remarks to that effect, with the other groups. (Phillips, 1972, p.379, as cited in Tharp and Yamauchi, 1994)

Reyes (1998) suggests the use of cooperative learning strategies such as cross-age peer tutoring, peer tutoring, reading buddies, and team projects.

It is often suggested that the reason American Indian students tend to be more comfortable in cooperative learning environments is because while many American Indian cultures have traditionally valued competitive effort on the part of individuals when that effort benefits the peer group, competition among individuals has been negatively sanctioned because to show oneself as better than others is considered inappropriate behavior (Cleary and Peacock, 1998; Swisher, 1990). As Wax (1971) notes,

> Indian pupils hesitate to engage in an individual performance before the public gaze, especially where they sense competitive assessment against their peers. Indian

[20] For more detailed discussions on cooperative learning see, for example, Cohen (1994) and Slavin (1995).

> children do not wish to be exposed as inadequate before their peers, and equally do not wish to demonstrate by their individual superiority the inferiority of their peers. On the other hand, where performance is socially defined as benefiting the peer society, Indians become excellent competitors (as witness their success in team athletics). (Wax, 1971, p.85, as cited in Swisher and Deyhle, 1992)

Hence, while American Indian students tend to be averse to demonstrating competence during whole-class instruction, they are usually comfortable using their knowledge and abilities to benefit a cooperative group.

Multisensory Instruction

A second example of how teachers can support the range of student learning styles better is to provide "multisensory instruction" (Cleary and Peacock, 1998; Reiff, 1992; Swisher and Deyhle, 1989; Wallace, 1995). It is often suggested that typical classrooms are more supportive of auditory learners than of visual or tactile-kinesthetic learners. For instance, Swisher and Deyhle (1989) note that "in most classrooms there is a tendency for teachers to introduce almost all new concepts and give all instructions verbally" (p.9). By presenting information not only verbally, but by conducting demonstrations, providing visual aids and manipulatives, et cetera, teachers can support the range of sensory modality strengths among their students.

Reiff (1992) notes that "with comparatively minor curriculum modifications, most lessons can be adapted in such a way that visual, auditory, tactile, and kinesthetic learners can benefit" (p.17–18). For instance, more visual learners can be supported through the use of films and videotapes or by providing lesson outlines on the blackboard or transparencies so that they can "see" what the teacher is talking about (Wallace, 1995). Similarly, tactile-kinesthetic learners can be supported through role-playing, creative dramatics, and hands-on activities (Reiff, 1992). However, Reiff stresses that the key to "consistently improving achievement and attitude" among students is "variability and flexibility on the part of the teacher ... research supports the use of all modalities when teaching all students" (1992, p.20).[21]

Increased Holistic Emphasis

A third way that teachers can support the range of student learning styles better is to modify classroom instruction so that global and analytic learning styles are more equally supported, since in most mainstream classrooms today there is an unequal emphasis on the latter.[22] As Walker, Dodd, and Bigelow (1989) note,

> The focus of public school curriculum over the past several decades has become increasingly fragmented, emphasizing the separate parts of content through narrowly defined objectives... Students are taught isolated skills, which are practiced in

[21] For more detailed discussions of how to respond to student needs in regard to sensory modality strength, see, for example, Dunn and Griggs (1995), Kaulback (1984), Leaver (1997), Vail (1992) and Wallace (1995).

[22] Increasing instructional support of global learners may be particularly effective in supporting student learning in elementary school classrooms since, according to Dunn and Griggs (1995), the majority of elementary school children are global learners.

> workbooks. To evaluate mastery of the subject, students are given short-answer or recognition tests that assess the specific task taught rather than the integration of the skill with the entire content. Facts are emphasized rather than interpretations. Right answers are emphasized rather than the application of information. (p.65)

Reyes (1998) suggests that such a fragmented, analytic focus may be particularly problematic for American Indian students whose cultures' traditional ways of teaching and learning are more holistic in nature.[23]

One way teachers can provide greater balance in the classroom is by incorporating thematic units into the curriculum (Cleary and Peacock, 1998; Rhodes, 1988). Used to integrate the curriculum across a variety of subject areas, thematic units "permit students to learn while seeing the wholeness of the topic and of the endeavor, and while seeing the way different disciplines fit together to accomplish real end results" (Cleary and Peacock, 1998, p.222). Teachers can also provide greater balance by describing to students the overall purpose and the overall structure of a task, as well as allowing them to view the completed task, before explaining the series of steps required to perform it (Dodd, Nelson, and Spint, 1995; More, 1989). More (1989) notes that this is quite different from the form instruction often takes in which "the overall picture (the global view) of the topic is not presented until the end of the teaching sequence" (p.24). Nevertheless, for a child who is more comfortable with a holistic approach to learning, and does not typically view tasks sequentially, this failure to initially provide a holistic understanding of a task may result in him or her viewing the steps for accomplishing that task as having little meaning.

Minimizing Sociolinguistic Discontinuities

The first step teachers should take in minimizing the difficulties American Indian students face as a result of sociolinguistic discontinuities is to learn about the languages and cultures of their American Indian students' communities. This process should help to provide teachers with insight into the culturally derived assumptions that their American Indian students bring with them to the classroom about what constitutes appropriate language use, as well as how these assumptions differ from their own. This insight can be used to recognize the sources of the miscommunication that often occurs between American Indian students and their teachers which, in and of itself, may reduce the degree of miscommunication.

Teachers can also use such insight to modify instruction so that it presents fewer difficulties for their American Indian students. For instance, increasing wait-time, or "the time a teacher pauses after asking a question and also after a student's response," is often suggested to be an effective method for reducing the sociolinguistic discontinuities American Indian students face in the classroom (Boseker, 1998, p.48; Littlebear, 1992; Tharp and Yamauchi, 1994). Increased wait-time is believed to be more consistent with the communication patterns of many American Indian communities. As Littlebear (1992) notes.

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[23] Interestingly, Reyes also suggests that performance assessment is more congruent with traditional American Indian experience than is standardized testing. He notes that, as in performance assessment, American Indian people demonstrated competence through the performance of an activity (e.g., the creation of cedar baskets for cooking) and were judged according to publicly known criteria regarding their work.

> Indian students take more time to answer questions not because they are less intelligent, but because they want to digest the question and then formulate a correct response. The response must be correct because Indian cultures require precise communication, not just haphazard utterances. (p.109)

Increased wait-time can also support student learning:

> Increased wait-time is actually thinking time, giving both the speaker and the listener time to think or engage in speculative thinking; it has been shown that extended wait-time encourages higher-level thinking rather than simple recall (Rowe, 1978). Winterton (1976) found that extended wait-time results in: (1) significantly longer student responses, (2) significant increase in number of student-student comparisons of data, (3) more active verbal participation of usually low-verbal students, (4) decrease of students failing to respond, and (5) students tending to contribute unsolicited but appropriate responses and to initiate appropriate questions. (Boseker, 1998, p.48)

Also believed to be more consistent with the communication patterns of many American Indian communities are classroom participant structures in which there is less teacher domination of verbal interaction during instruction, while allowing for more voluntary (yet appropriate) verbal participation by the students. Swisher and Deyhle (1992) note that

> research indicates that some Indian children are more apt to participate actively and verbally in ... situations where they volunteer participation. Conversely, these Indian children are less apt to perform on demand when they are individually "put on the spot" by teachers who expect them to answer questions in front of other students. (p.88)

Hence, a teacher may be able to increase the participation of American Indian students in classroom discussions by reducing the degree of direct questioning of students while wording more of his or her speech in the form of comments for students to respond to, as well as by encouraging student-to-student dialogue and group problem solving (Little Soldier, 1989; Swisher and Deyhle, 1992). Little Soldier (1989) suggests teachers should avoid formal, large-group lessons in the lecture-recitation mode because American Indian children tend to withdraw during a formal dialogue pattern.

Finally, learning about the languages and cultures of students' communities can help teachers to identify classroom practices that may cause confusion or discomfort among American Indian students because they contradict the cultural norms that these students bring with them to the classroom. For instance, children from many American Indian cultures generally receive indirect reinforcement from adults who are teaching them, and therefore may feel embarrassed by being singled out for public praise by a teacher (Swisher, 1990; Tharp and Yamauchi, 1994).[24] Similarly, within many American Indian communities inappropriate behaviors are dealt with differently than they are in typical mainstream classrooms:

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[24] For information on incentives and rewards that promote the achievement of American Indian students, see Pepper, Nelson, and Coburn (1985).

> When children err, their elders "explain," which ... means that they painstakingly and relatively privately illustrate or point out the correct procedure or proper behavior. However ... teachers in school do not understand this. Their irate scolding becomes an assault on the child's status before his peers. (At the same time, the teacher diminishes his own stature, inasmuch as respected elders among Indians control their tempers and instruct in quiet patience). (Wax, Wax, and Dumont, 1964, p.95, as cited in Swisher and Deyhle, 1992)

By becoming knowledgeable of such differences, teachers can modify classroom practices to be more compatible with the cultures of their American Indian students (Tharp and Yamauchi, 1994).[25]

Learning About the Languages and Cultures of Students' Communities

Because American Indian communities vary greatly in terms of language and culture, it is important for a teacher to learn about the particular communities of the American Indian students in his or her classroom. Although ethnographic literature may provide a valuable resource in this regard, books are not a substitute for teachers directly learning from American Indian communities (Cleary and Peacock, 1998; Osborne, 1989; Swisher and Deyhle, 1989). Swisher and Deyhle (1989) urge teachers to "become participants in the community; they must observe and ask questions in such a way that genuine caring and concern is communicated" (p.12). Cleary and Peacock (1998) note that "when communities see that teachers are interested in learning about their customs, they usually appreciate those efforts" (p.25).

The importance of teacher knowledge about the specific linguistic and cultural backgrounds of their American Indian students cannot be understated. Even instructional approaches such as cooperative learning, which is widely believed to support the school success of American Indian students, may be ineffective or counterproductive if not implemented with an understanding of the distinctive cultural features of students' communities (Farr and Trumbull, 1997; Vogt, Jordan, and Tharp, 1993). For example, Vogt, Jordan, and Tharp (1993) found that cooperative learning techniques that were very successful among Native Hawaiian children were not successful when similarly implemented among Navajo children. These researchers state that the heterogeneous groupings that were effective with Native Hawaiian children were culturally incompatible for Navajo students because, for instance, in the latter's community there is a separation of sexes both in roles and for purposes of interaction. Only when the groups were adjusted to be more culturally compatible for these Navajo students, including a change to same-sex groupings, did cooperative learning become effective with these students.

In attempting to reduce the discontinuities that American Indian students face in their classrooms, teachers should also recognize that the degree to which these students display

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[25] This is not to suggest that classroom practices need to precisely mirror the cultural practices of American Indian students' home cultures (Au and Kawakami, 1994; Jordan, 1985). As Jordan (1985) asserts, the "point" of cultural compatibility is merely that the student's "natal culture is used as a guide in the selection of educational program elements so that academically desired behaviors are produced and undesired behaviors are avoided" (p.110, as cited in Ladson-Billings, 1995).

sociolinguistic and other cultural differences may vary. Even among children from the same community, the degree to which these students display such differences may vary according to their exposure to, and attitude toward, mainstream culture (Cleary and Peacock, 1998).

Addressing Oppositional Identity

The work of Ogbu (e.g., 1991) has a number of broad implications regarding ways of increasing the academic achievement of American Indians, not the least of which is the need for fundamental changes in American society as a whole. However, a more immediate implication for teachers is the need to modify their classrooms in ways that reduce the degree to which American Indian students view success in school as detrimental to their own culture, language, and identity. As was noted above, viewing school success in this way tends to lead to resistance or ambivalence toward school learning among involuntary minorities.[26]

One important classroom modification is the adaptation of instruction so that it is more compatible with the cultural norms of American Indian students' homes and communities. Depending on the individual backgrounds of the students, this could include increasing wait-time, the use of cooperative learning, or other methods discussed above. Erickson (1993) notes that such modifications "may, even for young children, be perceived by them at some level as a symbolic affirmation of themselves and their community by the school" (p.31).

A second way to reduce the degree to which American Indian students view success in school as detrimental to their own culture, language, and identity is for curricula to reflect a balanced, multicultural focus that integrates the contemporary, historical, and cultural perspectives of Native Americans (Indian Nations at Risk Task Force, 1991). As Erickson (1997) points out,

> If only the ... standard American history, and the voices and lives of White men appear in the curriculum, the further implicit message (by what is left in and what is left out of the knowledge presented as legitimate by the school) seems to be that real America and real school is only about the cultural mainstream and its establishment ideology. This approach especially marginalizes the students of color who come to school already marginalized by life experience and by the historical experience of oppression in their ethnic or racial communities... Marginalization is alienating, and one response to alienation is resistance [to school learning]. (p.49)

This assertion is consistent with the Indian Nations at Risk Task Force's finding that "the perspective from which a school's curriculum is presented can significantly influence Native students' attitudes toward the school, schooling in general, and academic performance ... Schools that adjust their curriculum to accommodate the variety of cultures served are more successful than schools that do not" (Indian Nations at Risk Task Force, 1991, p.16). Similarly, Cleary and Peacock (1998) state that "schools that acknowledge, accept, and teach a child's cultural heritage have significantly better success in educating [American Indian] students" (p.108).

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[26] Such modifications may be particularly important for less traditional American Indian students. The research of Dehyle (1992) suggests that these students are more likely to interpret the adoption of attitudes and behaviors conducive to school success as a threat to their identity than more traditional American Indian students.

In addition to using a balanced multicultural curriculum as a means of reducing American Indian student alienation, teachers should also utilize such a curriculum to foster intercultural harmony in schools (Butterfield, 1994). As was noted previously, testimony gathered during the U.S. Secretary of Education's Indian Nations at Risk Task Force hearings in 1990 and 1991 suggests that American Indian students often experience racism in school: "Students who identify themselves as Natives often are subjected to taunts and racial slurs that make them feel threatened and ashamed" (Butterfield, 1994, p.1). A more balanced curriculum should help all students to develop a greater awareness of, and respect for, the cultures of other peoples of the world, as well as help non-Indian students overcome their unfamiliarity with American Indians and facilitate an increased respect for the contributions of American Indians to the United States (Charleston and King, 1991; Garcia and Ahler, 1992). During the provision of such a curriculum, teachers should focus on developing students' "critical thinking skills to help students address common fallacies in reasoning such as overgeneralization and failure to follow a line of reasoning through to its logical conclusion" (Butterfield, 1994, p.2).

Integrating a Multicultural Perspective Into Curricula

James Banks, one of the leading voices in multicultural education in the U.S. today, asserts that the traditional, mainstream-centric curriculum is not only alienating to American Indians and other students of color, it also has negative consequences for students from the dominant societal group (i.e., white middle-class students). According to Banks (1997), this is because it

> gives them a misleading conception of their relationship with other racial and ethnic groups, and denies them the opportunity to benefit from the knowledge, perspectives, and frames of reference that can be gained from studying and experiencing other cultures and groups. A mainstream-centric curriculum also denies mainstream American students the opportunity to view their culture from the perspectives of other cultures and groups. When people view their culture from the point of view of another culture, they are able to understand their own culture more fully, to see how it is unique and distinct from other cultures, and to understand better how it relates to and interacts with other cultures. (p.229)

Furthermore, according to Banks, the traditional mainstream-centric curriculum fails to help students

> acquire the knowledge, values, and skills they need to participate in social change so that victimized and excluded ethnic and racial groups can become full participants in U.S. society and so the nation will move closer to attaining its democratic ideals. (p.239–240)

In discussing methods for moving beyond the mainstream-centric curriculum, Banks argues that current approaches to integrating multicultural content into curricula can be categorized in terms of four hierarchical levels, with the fourth level being of greatest value:

- Level 1: The Contributions Approach
- Level 2: The Additive Approach
- Level 3: The Transformation Approach
- Level 4: The Social Action Approach

In the following discussion we provide an overview of Banks' typology, including his analysis of the relative value of these approaches as well as suggestions from other sources regarding multicultural curricula and American Indian students.[27]

Level 1: The Contributions Approach

Level 1 of Banks' typology is characterized by the insertion of ethnic heroes or heroines and discrete cultural elements (e.g., foods, dances and holidays) into the mainstream curriculum without changing the curriculum's basic structure, goals, and salient characteristics. De Melendez and Ostertag (1997) note that

> using level 1 requires very little knowledge by teachers about the multicultural material added to the curriculum. Because these topics are presented as brief snapshots, relevant aspects of specific cultures are not really focused. Actually, if teachers are not careful in their selection and presentation of the topics, it is possible to find concepts displayed in stereotypical ways. Although well intentioned, this practice communicates misleading information to the child. An example of commonly shown stereotypes is the sole use of "gauchos" to depict Argentinians, or to portray Calypso dancers as representative of all the people in the Caribbean. (p.184–185)

Other researchers voice similar concerns regarding this type of approach. For instance, Farr and Trumbull (1997) assert that the "inclination toward developing a curriculum that is 'multicultural' by adding insignificant details about foods and festivals, or other surface cultural details, will not allow students to think deeply about the meaning of cultural and linguistic differences" (p.94). Similarly, Reyhner (1992a) notes that attempts at providing a balanced curriculum through "a Thanksgiving unit or an American Indian Day, rather than developing a culture-based, culture-embedded curriculum that permeates both the school day and the school year," are not sufficient (p.44).

Banks echoes these concerns, as well as being critical of the *contributions approach* because "the criteria used to select ethnic heroes/heroines for study and to judge them for success are derived from the mainstream society and not from the ethnic community" (1997, p.233). Because of this,

> Individuals who challenged the dominant society's ideologies, values, and conceptions and advocated radical social, political, and economic reform are seldom included.... Thus, Booker T. Washington is more likely to be chosen for study than is W. E. B. Du Bois, and Sacajawea is more likely to be chosen than is Geronimo. (p.233)

[27] For more detailed discussions concerning the integration of multicultural perspectives into curricula, see, for example, Banks and McGee Banks (1997) and De Melendez and Ostertag (1997).

Furthermore, when ethnic heroes or heroines are studied,

> The focus tends to be on success and the validation of the Horatio Alger myth that all Americans who are willing to work hard can go from rags to riches and "pull themselves up by their bootstraps"... The success stories of ethnic heroes such as Booker T. Washington, George Washington Carver, and Jackie Robinson are usually told with a focus on their success, with little attention to racism and other barriers they encountered and how they succeeded despite the hurdles they faced. (p.234)

Nevertheless, Banks argues that the contributions approach may serve as a commendable initial step for teachers wishing to integrate a multicultural perspective into their curricula.

Level 2: The Additive Approach

Level 2 of Banks' typology is characterized by "the addition of content, concepts, themes, and perspectives to the curriculum" (p.235). However, as with the contributions approach, the curriculum's "basic structure, purposes and characteristics" remain unchanged (p.235). Banks states that

> the *additive approach* ... is often accomplished by the addition of a book, a unit, or a course to the curriculum without changing it substantially. Examples of this approach include adding a book such as *The Color Purple* to a unit on the twentieth century in an English class, the use of the film *Miss Jane Pittman* during a unit on the 1960s, and the addition of a unit on the internment of the Japanese Americans during a study of World War II in a class on U.S. history [italics in original]. (p.235)

Banks argues that this approach shares several disadvantages with the contributions approach. The most serious of these is that the events, concepts, issues and problems selected for study are chosen using mainstream perspectives only. For instance, within the additive approach a history unit on the westward expansion of the United States may include content about the Oglala Sioux, yet will remain fundamentally mainstream-centric in its perspective and focus. Because of this, the additive approach "fails to help students view society from diverse cultural and ethnic perspectives and to understand the ways that the histories and cultures of the nation's diverse ethnic, racial, cultural, and religious groups are interconnected" (p.236). Despite its disadvantages however, Banks believes the additive approach can be a valuable first phase in a curriculum reform effort "designed to restructure the total curriculum and to integrate it with ethnic content, perspectives, and frames of reference" (p.235).

Level 3: The Transformation Approach

Level 3 of Banks' typology differs fundamentally from the previously discussed approaches. In the *transformation approach,* the fundamental assumptions, structure, and perspectives of the curriculum are changed with the goal of enabling students to view concepts and issues from the perspectives of the various cultural, ethnic, and racial groups "that were the most active participants in, or were most cogently influenced by, the event, issue, or concept being studied" (p.237). In this approach, "The mainstream-centric perspective is one of only

several perspectives from which ... problems, concepts, and issues are viewed" (p.237). Banks states that the emphasis of this approach "is on how the common U.S. culture and society emerged from a complex synthesis and interaction of the diverse cultural elements that originated within the various cultural, racial, ethnic, and religious groups that make up U.S. society" (p.239).

Level 4: The Social Action Approach

Level 4 is the approach that Banks considers of greatest value in his typology. It "includes all the elements of the transformation approach but adds components that require students to make decisions and take actions related to the concept, issue, or problem studied in the unit" (p.239). The primary goals of this approach are to empower students and help them become skilled participants in social change "so that victimized and excluded ethnic and racial groups can become full participants in U.S. society" (p.239). This is done through teaching students decision making skills and helping them to become reflective social critics.

De Melendez and Ostertag (1997), in discussing the *social action approach,* warn that teaching with this approach

> lends itself to introducing children to topics that are not often studied in the classroom. Some of these topics, such as prejudice and racism, might be considered controversial by school colleagues and parents. Therefore, teachers who decide to teach about such issues will need to carefully select materials and topics and spend more time preparing to teach. Communication with families must be incorporated into the process if this approach is to be successful.

De Melendez and Ostertag also warn that given the substantial curricular modifications required to implement level 4 of Banks' typology, teachers should try other levels before attempting the social action approach.

Other Issues

Teachers of American Indian students should not simply integrate a generalized consideration of American Indians into their curricula, but should localize their curricula "to reflect the historical experience, culture, and values of the local and regional Native communities" (Charleston and King, 1991, p.8). This is necessary because of the diversity of American Indian cultures, both historically and in the present day. However, given the limited amount of culturally relevant and regionally specific curriculum materials, this may require an openness on the part of teachers to generate materials through collaboration with resource persons in American Indian communities who can provide insight into their culture, language, and history (Cummins, 1992; Littlebear, 1992).

It is also important for teachers to guard against curricula that address American Indians in purely historical terms and fail to recognize the current realities of American Indians in the United States (Almeida, 1996). Teachers should also present students with more than just the exotic or unusual components of American Indian cultures (Almeida, 1996). A curriculum that is limited in either way will fail to provide non-Indian students with "the tools they need to

comfortably interact with American Indians and Alaska Natives" (p.2). Instead, such a curriculum teaches simplistic generalizations about other peoples and leads to stereotyping rather than understanding (Almeida, 1996).

Intrinsic Motivation

Aside from the other benefits discussed above, providing a multicultural curriculum and instruction that is sensitive to both sociolinguistic differences and diverse learning styles can help to increase students' intrinsic motivation toward school learning (Wlodkowski and Ginsberg, 1995). Although increasing intrinsic motivation may enhance the learning of all students, the work of Ogbu (e.g., 1978, 1991) suggests that it is of particular importance to the academic success of involuntary minorities. As Cleary and Peacock (1998) note,

> The incentives that work for many students in mainstream schools (a beckoning college career, attention accorded by the family for good grades, rewards that are meaningful, enjoyment of competition, potential shame in failing grades) are simply not there to pull many American Indian students along. These extrinsic motivators, motivators external to the individual, just do not work for students who have been marginalized by society, who rarely see how academic endeavor has served/rewarded the adults in their community, who do not see real purposes for the knowledge and skills they are supposed to accumulate. (p.203)

Of particular importance in increasing intrinsic motivation among American Indian students is increasing the curriculum's personal relevance to them. Research conducted by Walker, Dodd, and Bigelow (1989) suggests that American Indian students tend to

> prefer to learn information that is personally interesting to them.... When these students are not interested in a subject, they do not control their attention and orient themselves to learning an uninteresting task. Rather, they allocate their attention to other ideas that are more personally interesting, thus appearing detached from the learning situation. When a subject is interesting, they learn the information and then creatively express this new learning ... This variation in response to learning new information confuses teachers. Teachers of these students often comment: "I know Calvin can do the task because just last week he wrote the most creative essay on Battle of the Little Bighorn. He must be just lazy. I don't know what to do with him." This troublesome situation can be avoided with appropriate instructional adjustments. (p.69)

Wlodkowski and Ginsberg (1995) argue that such instructional adjustments include contextualizing instruction in the learners' experience or previous knowledge:

> Personal and community-based experiences can be drawn upon to provide a foundation for developing skills and knowledge ... When learners' previous circumstances and current knowledge have not allowed for a development of personal interest in the topics and concepts to be learned, experiences need to be constructed to allow the learners to appreciate the emerging relevance [that] such new learning activities afford. (p.119)

Similarly, Cleary and Peacock (1998) note that it is important to find connections between American Indian students' lives and the content to be covered:

> Teachers can help students see the meaning in the act of reading by providing them with meaningful texts, texts connected with their own experience, or by helping them find relevance in texts they must read by helping them search for the universals in human experience. (p.184)

Other ways of increasing the intrinsic motivation of American Indian students include (1) connecting academic endeavors to real purposes valued by the students, (2) generating products for real audiences, and (3) giving students a choice in how and what they learn (Cleary and Peacock, 1998).[28] Furthermore, teachers should replace passive teaching methods (i.e., instruction in which students are considered passive recipients of teacher knowledge) with active learning in which students are encouraged to interact with peers, teachers, and their environment and in which students are encouraged to be active participants in their education (Reyes, 1998; Reyhner, 1992a). Teachers can provide more active forms of learning through the use of "instructional conversations" (Goldenberg, 1991; Tharp and Yamauchi, 1994),[29] cooperative learning (Cohen, 1994; Slavin, 1995), et cetera.

American Indian Student Silence

Mainstream teachers are often presented with what to them is a confounding degree of silence from their American Indian students. Tharp and Yamauchi (1994) note that

> it is a consistent finding that American Indian students, with experience in school, become progressively more quiet, withdrawn, and non-responsive.... Until third grade, American Indian children are reported to come to school interested, engaged, and oriented toward the teacher. From fourth to sixth grade, this enthusiasm changes, and children pay more attention to peers than to their teachers. Teachers describe these Indian children as quiet, sullen, and withdrawn. (p.5–6)

Depending on the particular classroom and students, this silence is probably a variable and complicated mixture of student discomfort, student conformity to traditional rules of discourse and community norms of behavior, and student resistance (Cleary and Peacock, 1998; Plank, 1994; Tharp and Yamauchi, 1994), each of which is discussed below.

As was noted previously, American Indian students often feel a great deal of discomfort when confronted with classroom norms of behavior and language use that are incongruous with the norms they have learned in their homes and communities. An example of this is provided by

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[28] Thematic instruction may be a particularly effective method of addressing Cleary and Peacock's third suggestion, since thematic instruction is often implemented in a manner that allows students to select interesting topics to pursue while studying a concept or broader theme decided upon by the teacher.

[29] Instructional conversations, or ICs, are "discussion-based lessons geared toward creating opportunities for students' conceptual and linguistic development ... The teacher encourages expression of students' own ideas, builds upon information students provide and experiences they have had, and guides students to increasingly sophisticated levels of understanding.... ICs assume that students themselves play an important role in constructing new knowledge and in acquiring new understandings about the world" (Goldenberg, 1991, p.1).

Phillips (1976, 1983) who found that the type of verbal interaction typical of traditional mainstream classrooms during whole-class instruction, in which teachers dominate the discussion and regulate turns at speech, was different from the participation structure for conversations Warm Springs Indian students were familiar with in their community:

> Turn taking by their [the students'] system was self-directed: Anyone who wanted to speak did so and for as long as they wanted. Thus, when students came to school and encountered this foreign and complicated participation structure, they reacted by withdrawing from classroom activities. (Tharp and Yamauchi, 1994, p.5)[30]

American Indian student silence may also result from student conformity to traditional rules of discourse and community norms of behavior. For instance, as was previously discussed, publicly displaying knowledge during whole-class instruction, which is usually encouraged by mainstream teachers, is not in keeping with community or group norms of appropriate behavior for students from many American Indian groups (Swisher and Deyhle, 1989, 1992). Similarly, the prescribed etiquette for student/teacher interactions is often different in many American Indian cultures than what is considered the norm in typical mainstream classrooms. As Weider and Pratt (1990) note,

> Although White Americans find it proper to ask questions of someone who is instructing them, Indians regard questions in such a situation as being inattentive, rude, insolent, and so forth. The person who has taken the role of "student" shows that he is attentive by avoiding eye contact and by being silent. (Weider and Pratt, 1990, as cited in Plank, 1994, p.5)

Finally, American Indian student silence may also result from student resistance toward the school and teacher. As previously noted, the work of Ogbu (e.g., 1991, 1993) suggests that American Indian students often perceive success in school as detrimental to their own culture, language, and identity. This may be a particularly important factor in student silence in the later grades, since while "the reluctance to cross cultural/language boundaries or to 'act white' appears to begin at the elementary school level, [it] becomes increasingly manifest as the children pass through junior and senior high schools" (Ogbu, 1993, p.102). Among these older students, another factor contributing to resistance may be the perception that teachers do not care about American Indian students. Dehyle (1992) found that among the American Indian school dropouts she studied,

> The issue of a teacher "caring" was very important to many ... When asked about good teachers, students consistently explained a good teacher was one who "cares" ... The issue was a demonstration that the teacher "cared." And the form of this demonstration was direct help on work in class.... When youth experienced minimal individual attention or personal contact with their teachers, they translated this into an image of teacher dislike and rejection. (p.30–31)

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[30] Basso (1970) suggests that silence, or "giving up on words," is a culturally appropriate strategy for American Indians when assumptions about behavior are not clear.

Similarly, Little Soldier (1989) notes the importance of warm personal relationships between teachers and students in regard to student motivation.

These explanations for American Indian student silence have a number of implications for addressing this silence in the classroom. First, they reinforce the need for teachers to learn about the norms of behavior and language use that students learn in their homes and communities and for teachers to minimize the discontinuities these students experience in the classroom. Second, they also reinforce the need for teachers to modify their classrooms in ways that reduce the degree to which American Indian students view success in school as detrimental to their own culture, language, and identity. Third, they suggest that, at least among adolescents, student silence (and resistance) may be decreased by providing these students with increased individual attention[31] and by the fostering of warm personal relationships with students by their teachers.

Parental Involvement

The U.S. Department of Education's Indian Nations at Risk Task Force found that American Indian parents "are still not part of the [school] system despite efforts to increase their involvement" (Charleston and King, 1991, p.7). This is a troubling finding, given that the importance of increasing parental involvement with their children's schools has become almost axiomatic within the literature on educational improvement. For example, Butterfield and Pepper (1992) note that "according to the research, parent participation in almost any form improves parental attitudes and behaviors, as well as student achievement, attendance, motivation, self-esteem, and behavior" (p.49). In the following discussion we address issues surrounding teacher facilitation of greater home/school collaboration in regard to their American Indian students.[32]

A primary benefit of increasing the degree of collaboration between teachers and American Indian parents (as well as other involuntary minority parents) is the amelioration of parental perceptions that schools, as institutions controlled by the dominant societal group, lack legitimacy. As Ogbu (1991) notes,

> Since involuntary minorities do not trust the schools and those who control the schools, they are usually skeptical about the schools' ability to educate their children.... Indeed, involuntary minorities sometimes interpret the school rules and standard practices as an imposition of the dominant group members' cultural frame of reference, which does not necessarily meet their real educational needs. (p.28)

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[31] Modifying classroom participation structures to include more small-group work and pair work may provide more time for teachers to engage in such individual attention.

[32] By focusing on facilitating collaboration between teachers and parents, we do not intend to imply that there are not other important means of increasing parental involvement. For instance, the importance of increased parental inclusion in school decision making is often discussed in the literature. However, increasing parental involvement in such ways is beyond the scope of this document. For an expanded discussion of increasing American Indian parental involvement through school- and district-level efforts, see Butterfield and Pepper (1992); see also, McGee Banks (1997).

Such attitudes

> probably make it more difficult for minority parents and communities to teach their children effectively to accept, internalize, and follow the school rules and practices that lead to academic success, and for their children, especially as they get older, to accept, internalize, and follow the school rules and standard practices. (Ogbu, 1993, p.104)

For American Indian parents, perceptions of school legitimacy are often particularly poor due to the U.S. government's historical attempt at forced American Indian assimilation through education (as discussed in the first section of this document). For example, Kramer (1991) found that among Ute Indians, schools were viewed as a pernicious force (rather than as a beneficial one) in the lives of their children, in large part due to the role schools have played, and continue to play, as agents of assimilation. Similarly, Littlebear (1992), in addressing American Indian suspicion of modern American education, notes that "this kind of education is still associated with punishment and deprivation because that is what it meant to the grandparents and parents of today's children" (p.106).

However, Littlebear also states that changes in schools can lead to changed attitudes. One important change is an increase in teacher efforts toward greater home/teacher collaboration.[33] But such collaboration means more than just teachers encouraging "parents to get after their children to attend school and study," or simple crisis intervention (Butterfield, 1994; Reyhner, 1[illegible], p.47). It should be an ongoing effort at outreach that focuses on positive contacts with home[illegible]: "Teachers must make it their business to get to know parents, share information with them, and enlist their involvement with the school" (Charleston and King, 1991, p.7). (See, for example, McGee Banks [1997] for specific suggestions regarding home/teacher collaboration.)

In attempting to increase home/school collaboration however, teachers should be sensitive to the numerous factors that can hinder American Indian parental involvement. Not the least of these is suspicion of the schools that teachers represent and poor perceptions of school legitimacy. American Indian parents also, like other ethnically and linguistically diverse parents, often face formidable cultural and linguistic barriers to school involvement (Finders and Lewis, 1998). Furthermore, Butterfield and Pepper (1992) note that large numbers of American Indian parents are inhibited from participation with schools by other factors that they have little control over, such as "illiteracy, low socioeconomic status, poor parental self-esteem, dysfunctional family relationships, and poor health conditions" (p.48). These authors go on to suggest that despite such barriers, given the importance of extended families in American Indian cultures, teachers may be able to nonetheless facilitate greater home/school collaboration through outreach involving students' extended families, who "may be very effective supporters of education for Native children" (p.48).

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[33] Another important change is the provision of a curriculum that is culturally relevant to a school's American Indian students and their communities. Schools that do so validate the cultures of the American Indian students they serve, thereby influencing American Indian parents' perceptions of the school (Butterfield and Pepper, 1992).

Section V

American Indian Students and Reading

Given the concern of educators in our state over the performance of American Indian children on the Washington Assessment of Student Learning tests in 1998 and 1999 and given the tremendous role reading ability plays in the academic success of all students, reading-related issues should be of great concern to teachers of American Indian students. Hence, in this section we address issues of particular significance in regard to reading instruction as well as several issues of particular importance to teaching reading to American Indian students. However, this section in no way covers all of the issues that are relevant to teaching reading to American Indian students and is simply intended as an important supplement to *Research into Practice: An Overview of Reading Research for Washington State*, published by the Office of Superintendent of Public Instruction (1998a). We also strongly recommend that educators interested in issues of reading turn to *Preventing Reading Difficulties in Young Children* (Snow, Burns, and Griffin, 1998).

Reading

Reading is the process of constructing meaning through the dynamic interaction of the reader's existing knowledge, the information suggested by the written language, and the context of the reading situation (Office of Superintendent of Public Instruction [OSPI], 1998b). As Devine (1988) notes, "Reading is an act of creation ... The meaning ... emerges anew in each encounter of a reader with the text" (p.260). In each reading situation the reader needs to possess two kinds of knowledge: (1) knowledge of the language, which Eskey (1986) calls the "formal knowledge," and (2) appropriate background knowledge for understanding the content information of the text, which Eskey calls "knowledge of the substance" (p.17).

Learning to read starts very early in the life of a child. In fact, most young children in literate societies are involved in pre-reading activities almost every day. They are surrounded by print; they observe their siblings, their parents and caregivers reading; they are involved in interactive language games; and they are given educational toys that emphasize early literacy development. "Children's concepts about literacy are formed from the earliest years by observing and interacting with readers and writers as well as through their own attempts to read and write" (Snow et al., 1998, p.44). These experiences prepare them for the point at which reading-related development crosses over from the knowledge of the parts of the reading and writing processes to achieving a functional knowledge of the principles of the culture's writing system and the details of its grammar and spelling rules. "This is the point at which 'real reading' begins, when children read unfamiliar text without help, relying on print and drawing meaning from it" (Snow et al., 1998, p.42).

There is no precise age at which all children are ready to make this transition. According to Snow et al. (1998),

> The capacity to learn to read and write is related to the children's age related developmental timetable, although there is no clear agreement on the precise chronological or mental age, nor on a particular developmental level that children must reach before they are 'ready' to learn to read and write. (p.43)

Nonetheless, there are certain expectations concerning the range of skills that children should possess upon entering kindergarten in preparation for learning to read. Snow et al. (1998) note the following prerequisites among others:

- Several thousand words in their speaking vocabularies.
- A certain level of *phonological awareness*[34] attained through some prior exposure to rhymes and alliterations.
- Practice writing their own names and "reading" *environmental print.*[35]
- Other sources of information about the language the children will be expected to have (metalinguistic awareness).[36]

Snow et al. also note that irrespective of when children are ready to begin the transition to real reading, their ability to progress beyond the initial level depends on:

- "Having a working understanding of how sounds are represented alphabetically.
- Sufficient practice in reading to achieve fluency with different kinds of texts.
- Sufficient background knowledge and vocabulary to render written texts meaningful and interesting.
- Control over procedures for monitoring comprehension and repairing misunderstandings.
- Continued interest and motivation to read for a variety of purposes" (p.3–4).

Although most children acquire reading skills in a relatively predictable way, successful literacy development depends on a variety of factors. Well-trained teachers need to make their own informed choices, based on their students' needs, regarding appropriate approaches, methods, and materials. As Snow et al. state,

> Effective reading instruction is built on a foundation that recognizes that reading ability is determined by multiple factors: many factors that correlate with reading fail to explain it; many experiences contribute to reading development without being prerequisite to it; and although there are many prerequisites, none by itself is considered sufficient. (p.3)

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[34] Phonological awareness "refers to the general ability to attend to the sounds of language as distinct from its meaning" (Snow et al., 1998, p.52).
[35] Environmental print refers to the letters and words in the child's surroundings, such as street signs.
[36] Metalinguistic awareness refers to language or thoughts about language (Snow et al., 1998).

Risk Factors for Developing Reading Difficulties

A student's reading ability has a profound influence on all other aspects of his or her education. This is vividly expressed by the work of Dehyle (1992), who found that among the American Indian school dropouts she studied, over half felt that reading difficulties contributed to their problems in school. She notes that among all the American Indian school dropouts in her research, most were at least six grade levels behind the national average in reading ability.

Unfortunately, research suggests that American Indian children tend to be at a higher risk of developing reading difficulties. In a thorough summary of variables found to be correlated with the development of reading difficulties, Snow et al. (1998) state that there are three categories of factors that place children at a relatively higher risk:

- Individual risk factors, such as having a primary medical diagnosis with which reading problems tend to occur as a secondary symptom (e.g., hearing impairment, specific early language impairment, and severe cognitive deficiencies), lack of age-appropriate literacy skills, and lack of age-appropriate skills in literacy-related cognitive-linguistic processing (e.g., phonological awareness, story recall, and general language ability).
- Family risk factors, including being a member of an ethnic minority family, a family with low socioeconomic status, a family with a history of reading difficulties, or a family in which a language other than English or a nonstandard dialect of English is spoken in the home.
- Group risk factors, such as having limited English language proficiency, residing in a poor neighborhood, or speaking a dialect of English that substantially differs from the one used in school.

It is important to note that even though these factors have been shown to be correlated with a higher risk of developing reading difficulties, just because an individual child is at higher risk does not mean he or she will not reach high levels of success in reading and other academic areas.

Language Development and Reading Instruction

The challenge for teachers and caregivers is to provide American Indian children with experiences within a culturally relevant and appropriate learning environment.[37] Instructional materials should mirror the experiences and speaking vocabulary of early readers to the greatest extent possible. At the same time, teachers need to provide active, purposeful vocabulary instruction.

Reyhner (1992b) urges teachers not to use basal readers and textbooks designed for teaching suburban, middle-class white children. Instead, he proposes reading books that are culturally relevant and appropriate for American Indian students.[38] Reyhner concludes,

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[37] For an expanded discussion of this topic, see Section IV of this document.
[38] For evaluations of children's books about Indians, see Gilliland (1980, 1982, 1983).

> If Indian students are to become productive tribal members, informed citizens, and problem solvers of the future, they need to start reading with meaningful realistic literature about which they can think and hold discussions. Reading textbooks can, at best, only provide an appetizer to encourage students to explore classroom, school, and community libraries as well as bookstores. If meaningful and interesting stories are too difficult for beginning readers to read, then teachers need to read them aloud to students. (p.166–167)

The Indian Nations at Risk Task Force (Brown, 1992) suggests that reading and language arts teachers should:

- Recognize the cultural heritage of American Indian students as an asset.
- Create warm, accepting environments to encourage risk-taking in learning and skills.
- Provide contextual clues.
- Adapt content and concept to American Indian students' current skills levels.
- Incorporate frequent comprehension checks.

Kirk (1989) recommends using dialogue journals as an effective way to increase reading and writing skills for cultural minority students. He views the role of the journal as helping the students clarify their feelings and reflect upon their values and experiences. In addition, dialogue journals provide a low-risk opportunity for the students to establish a personal relationship with their teachers.

Language Development

No research was identified that provides teachers with the precise sequence of steps they should follow in order to develop the reading readiness of American Indian children, nor was any research identified that provides the exact sequence of steps that should be followed in teaching reading skills and strategies to these children. Nonetheless, American Indian children follow the same developmental path as other children and, like all other children, benefit from a loving, supportive, and challenging environment. It is for this reason that we include the following table, reprinted from Snow, et al. (1998), which lists the typical reading-related developmental accomplishments of children.

DEVELOPMENTAL ACCOMPLISHMENTS OF LITERACY ACQUISITION[39]

Birth to 3-Year-Old Accomplishments

- Recognizes specific books by cover.
- Pretends to read books.
- Understands that books are handled in particular ways.
- Enters into a book sharing routine with primary caregivers.
- Vocalization play in crib gives way to enjoyment of rhyming language, nonsense word play, etc.
- Labels objects in books.
- Comments on characters in books.
- Looks at picture in book and realizes it is a symbol for real object.
- Listens to stories.
- Requests/commands adult to read or write.
- May begin attending to specific print such as letters in names.
- Uses increasingly purposive scribbling.
- Occasionally seems to distinguish between drawing and writing.
- Produces some letter-like forms and scribbles with some features on English writing.

3- to 4-Year-Old Accomplishments

- Knows that alphabet letters are a special category of visual graphics that can be individually named.
- Recognizes local environmental print.
- Knows that it is the print that is read in stories.
- Understands that different text forms are used for different functions of print (e.g., list for groceries).
- Pays attention to separable and repeating sounds in language (e.g., Peter, Peter, Pumpkin Eater, Peter Eater).
- Uses new vocabulary and grammatical constructions in own speech.
- Understands and follows oral directions.
- Is sensitive to some sequences of events in stories.
- Shows an interest in books and reading.
- When being read a story, connects information and events to life experiences.
- Questions and comments demonstrate understanding of literal meaning of story being told.
- Displays reading and writing attempts, calling attention to self: "Look at my story."
- Can identify ten alphabet letters, especially those from own name.
- "Writes" (scribbles) message as part of playful activity.
- May begin to attend to beginning or rhyming sound in salient words.

[39] Reprinted with permission from *Preventing Reading Difficulties in Young Children.* Copyright 1998, by the National Academy of Sciences. Courtesy of the National Academy Press, Washington, D.C.

Kindergarten Accomplishments

- Knows the parts of a book and their functions.
- Begins to track print when listening to a familiar text being read or when rereading own writing.
- "Reads" familiar texts emergently, i.e., not necessarily verbatim from the print alone.
- Recognizes and can name all uppercase and lowercase letters.
- Understands that the sequence of letters in a written word represents the sequence of sounds (phonemes) in a spoken word (alphabetic principle).
- Learns many, thought not all, one-to-one letter sound correspondences.
- Recognizes some words by sight, including a few very common ones (a, the, I, my, you, is, are).
- Uses new vocabulary and grammatical constructions in own speech.
- Makes appropriate switches from oral to written language situations.
- Notices when simple sentences fail to make sense.
- Connects information and events in texts to life and life to text experiences.
- Retells, reenacts, or dramatizes stories or parts of stories.
- Listens attentively to books teacher reads to class.
- Can name some book titles and authors.
- Demonstrates familiarity with a number of types or genres of text (e.g., storybooks, expository texts, poems, newspapers, and everyday print such as signs, notices, labels).
- Correctly answers questions about stories read aloud.
- Makes predictions based on illustrations or portions of stories.
- Demonstrates understanding that spoken words consist of a sequence of phonemes.
- Given spoken sets like "dan, dan, den" can identify the first two as same and the third as different.
- Given spoken sets like "dak, pat, zen" can identify the first two as sharing a same sound.
- Given spoken segments, can merge them into a meaningful target work.
- Given a spoken word, can produce another work that rhymes with it.
- Independently writes many uppercase and lowercase letters.
- Uses phonemic awareness and letter knowledge to spell independently (invented or creative spelling).
- Writes (unconventionally) to express own meaning.
- Builds a repertoire of some conventionally spelled words.
- Shows awareness of distinction between "kid writing" and conventional orthography.
- Writes own name (first and last) and the first names of some friends or classmates.
- Can write most letters and some words when they are dictated.

First Grade Accomplishments

- Makes a transition from emergent to "real" reading.
- Reads aloud with accuracy and comprehension any text that is appropriately designed for the fast half of Grade 1.
- Accurately decodes orthographically regular one-syllable words and nonsense words (e.g., sit, zot) using print-sound mappings to sound out unknown words.
- Uses letter-sound correspondence knowledge to sound out unknown words when reading text.
- Recognizes common irregularly spelled words by sight (have, said, where, two).
- Has reading vocabulary of 300 to 500 words, sight words, and easily sounded out words.
- Monitors own reading and self-corrects when an incorrectly identified word does not fit with cues provided by the letters in the word or the context surrounding the word.
- Reads and comprehends both fiction and nonfiction that is appropriately designed for grade level.
- Shows evidence of expanding language repertory, including increasing appropriate use of standard, more formal language registers.
- Creates own written texts for others to read.
- Notices when difficulties are encountered in understanding text.
- Reads and understands simple written instructions.
- Predicts and justifies what will happen next in stories.
- Discusses prior knowledge of topics in expository texts.
- Discusses how, why, and what-if questions in nonfiction texts.
- Describes new information gained from texts in own words.
- Distinguishes whether simple sentences are incomplete or fail to make sense; notices when simple texts fail to make sense.
- Can answer simple written comprehension questions based on material read.
- Can count the number of syllables in a word.
- Can blend or segment the phonemes of most one-syllable words.
- Spells correctly three- and four-letter short vowel words.
- Composes fairly readable first drafts using appropriate parts of the writing process (some attention to planning, drafting, and rereading for meaning and some self-corrections).
- Uses invented spelling/phonics-based knowledge to spell independently when necessary.
- Shows spelling consciousness or sensitivity to conventional spelling.
- Uses basic punctuation and capitalization.
- Produces a variety of compositions (e.g., stories, descriptions, journal entries), showing appropriate relationships between printed text, illustrations, and other graphics.
- Engages in a variety of literary activities voluntarily (e.g., choosing books and stories to read, writing a note to a friend).

Second Grade Accomplishments

- Reads and comprehends both fiction and nonfiction that is appropriately designed for grade level.
- Accurately decodes orthographically regular multisyllable words and nonsense words (e.g., capital, Kalamazoo).
- Uses knowledge of print-sound mappings to sound out unknown words.
- Accurately reads many irregularly spelled words and such spelling patterns as diphthongs, special vowel spellings, and common word endings.
- Reads and comprehends both fiction and nonfiction that is appropriately designed for the grade.
- Shows evidence of expanding language repertory including increasing use of more formal language registers.
- Reads voluntarily for interest and own purposes.
- Rereads sentences when meaning is not clear.
- Interprets information from diagrams, charts, and graphs.
- Recalls facts and details of texts.
- Reads nonfiction materials for answers to specific questions or for specific purposes.
- Takes part in creative responses to texts such as dramatizations, oral presentations, fantasy play, etc.
- Discusses similarities in characters and events across stories.
- Connects and compares information across nonfiction selections.
- Poses possible answers to how, why, and what if questions.
- Correctly spells previously studied words and spelling patterns in own writing.
- Represents the complete sound of a word when spelling independently.
- Shows sensitivity to using formal language patterns in place of oral language patterns at appropriate spots in own writing (e.g., decontextualizing sentences, conventions for quoted speech, literary language forms, proper verb forms).
- Makes reasonable judgments about what to include in written products.
- Productively discusses ways to clarify and refine writing of self and others.
- With assistance, adds use of conferencing, revision, and editing processes to clarify and refine own writing to the steps of the expected parts of the writing process.
- Given organizational help, writes informative, well-structured reports.
- Attends to spelling, mechanics, and presentation for final products.
- Produces a variety of types of compositions (e.g., stories, reports, correspondence).

Third Grade Accomplishments

- Reads aloud with fluency and comprehension any text that is appropriately designed for grade level.
- Uses letter-sound correspondence knowledge and structural analysis to decode words.
- Reads and comprehends both fiction and nonfiction that is appropriately designed for grade level.
- Reads longer fictional selections and chapter books independently.
- Takes part in creative responses to texts such as dramatizations, oral presentations, fantasy play, etc.
- Can point to or clearly identify specific words or wordings that are causing comprehension difficulties.
- Summarizes major points from fiction and nonfiction texts.
- In interpreting nonfiction, distinguishes cause and effect, fact and opinion, main idea and supporting details.
- Uses information and reasoning to examine bases of hypotheses and opinions.
- Infers word meaning from taught roots, prefixes, and suffixes.
- Correctly spells previously studied words and spelling patterns in own writing.
- Begins to incorporate literacy words and language patterns in own writing (e.g., elaborates descriptions, uses figurative wording).
- With some guidance, uses all aspects of the writing process in producing own compositions and reports.
- Combines information from multiple sources when writing reports.
- With assistance, suggests and implements editing and revision to clarify and refine own writing.
- Presents and discusses own writing with other students and responds helpfully to other students' compositions.
- Independently reviews work for spelling, mechanics, and presentation.
- Produces a variety of written work (e.g., literature response, reports, "published" books, semantic maps) in a variety of formats, including multimedia forms.[40]

[40] Teachers will notice that these accomplishments are similar, but not identical, to the *Framework for Achieving the Essential Academic Learning Requirements in Reading, Grades K–6,* which was developed by the Commission on Student Learning, 1998. The perspective from which each document was written explains the disparities. The reading framework was developed by first examining the skills necessary to meet standards on the 4th grade Washington Assessment of Student Learning, then working backwards through Grades 3, 2, 1 and K. The Developmental Accomplishments outlined by Snow et al. (1998) trace reading development in the opposite direction, beginning at birth and progressing through preschool, K, 1, 2, and 3. Classroom teachers must keep both perspectives in mind when planning and delivering reading instruction.

Reading Comprehension

As previously stated, in order to become successful readers, American Indian children, like all the other children, need a supportive, challenging and culturally relevant learning environment to foster their language development and to provide them with pertinent experiences, background knowledge, and cognitive strategies.

> Comprehension difficulties can be prevented by actively building comprehension skills as well as linguistic and conceptual knowledge, beginning in the earliest grades. Comprehension can be enhanced through instruction focused on concept and vocabulary growth and background knowledge, instruction about the syntax and rhetorical structures of written language, and direct instruction in comprehension strategies such as summarizing, predicting, and monitoring. (Snow, et al. 1998, p.6)

In the following section we discuss reading comprehension and its two most important correlates: background knowledge and vocabulary.[41]

Background Knowledge

The definitions of reading and reading comprehension have been changed many times over the last few decades. Currently, one of the most widely excepted theories of reading defines reading comprehension as an interactive process between the reader and the text, and suggests that appropriate or sufficient background knowledge for understanding the text is a crucial factor in reading comprehension (Adams and Collins, 1979; Carrell, 1983a, 1983b, 1983c; Carrell and Wallace, 1983; Rumelhart, 1977; etc. as cited in Carrell, 1984). Research in the area of background knowledge is called *schema theory,* and forms the foundation of the reader-centered, psycholinguistic processing model of reading.[42] According to this theory, reading comprehension becomes efficient if the reader is able to relate the written material to his or her own prior experience or knowledge of structures, called *schemata* (Adams and Collins, 1979; Rumelhart, 1980; as cited in Carrell and Eisterhold, 1983).

The process of constructing meaning is universal for all readers regardless of their racial or cultural background. The difference, however, lies in what the readers bring to the reading task. The cultural background of minority students is often different from the culture embedded in the reading material they encounter in school. Therefore, it is important that teachers be particularly sensitive to reading problems that result from differences between students' background knowledge and the implicit cultural knowledge that a text presupposes (Carrell and Eisterhold, 1983).

Educators who work with linguistic and cultural minorities are urged to find appropriate ways to minimize cultural conflicts and sociolinguistic interference in order to maximize comprehension (Carrell and Eisterhold, 1983).[43] Some effective strategies suggested by Pearce (1992) include:

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[41] For practices that support reading development, see OSPI (1998a).
[42] For detailed information on schema theory, see Carrell and Eisterhold (1983).
[43] For further information, see Rigg (1981).

- Encouraging students to read a variety of books for pleasure.
- "Preparing" students for reading through brainstorming.
- Categorizing main concepts and discussing these concepts with students to activate the appropriate schema.
- Introducing different active reading strategies.
- Integrating reading with language arts in order to deepen student understanding of the main concepts.
- Asking questions that focus on the comprehension process and thus develop *metacognition*.[44]
- Providing active and deliberate vocabulary instruction.

Vocabulary

Another very important aspect of reading comprehension is vocabulary. Snow et al. (1998) claim that children entering kindergarten are expected to have a vocabulary of several thousand words and state that "there is a well-documented link between vocabulary size and early reading ability" (p.47). Significantly, Snow et al. argue that one possible reason for this link between vocabulary size and early reading ability may be that when formal reading instruction begins, a limited vocabulary may impede a child's level of achievement of *phonemic awareness*[45] for spoken words, which is necessary for fluent decoding of written words. According to this theory, early reading ability is contingent on vocabulary size rather than age or general developmental level.

In the OSPI publication *Research Into Practice: An Overview of Reading Research for Washington State* (OSPI, 1998a), the issue of vocabulary is defined as follows:

> Vocabulary words are the labels for the concepts and topics in a reader's background knowledge and are thought to play a central role in comprehension (McNeil, 1992). When a reader encounters a word in a text, word associations that allow meaning to be created are activated (McNeil, 1992) and meaning is constructed. Vocabulary is acquired (1) through wide and varied reading; (2) from exposure to language in school, at home, in the community; and (3) from explicit vocabulary instruction (Alvermann and Phelps, 1998).... In planning vocabulary instruction, it is important for teachers to consider that words (1) have many different meanings that are context-dependent, (2) are constantly being redefined as readers increase their background knowledge, and (3) should be learned as parts of conceptual frameworks or networks of ideas (McNeil, 1992).[46] (p.7)

[44] Metacognition is defined as "thoughts about thinking (cognition); for example, thinking about how to understand a passage" (Snow et al., 1998, p.45)

[45] Phonemic awareness is the "insight that every spoken word can be conceived as a sequence of phonemes. Because phonemes are the units of sound that are represented by the letters of an alphabet, an awareness of phonemes is key to understanding the logic of the alphabetic principle and thus to the learnability of phonics and spelling (Snow et al., 1998, p.52)

[46] For further information on how to teach vocabulary effectively, see Nagy (1988).

White, Graves and Slater (1990) conducted comparison studies of vocabulary growth among three groups of children from first through fourth grade. The groups were each composed of students from one of three schools: a white suburban school; an inner-city, predominantly African-American school where students spoke an English dialect; and a semi-rural school with dialect speaking, economically disadvantaged Asian Pacific students. The vocabulary size of first graders in these three groups ranged from 5,000 words for the white students, to 3,500 for the urban students, to 2,500 for the Asian Pacific students. In spite of intensive vocabulary and decoding instruction, the "vocabulary gap" never closed (although the students in all three groups increased their vocabulary sizes considerably). White, et al., maintain that this vocabulary gap reflects a differing knowledge of word meaning that is engendered by the different experiences of majority and minority children. According to White et al., "Both at home and in school, the dialect speaking students . . . were likely to have heard and used different words than the standard-English-speaking students from [the white suburban school]" (p.288).[47] This implies that, because vocabulary size is so critical to reading ability, it is crucial that dialect speakers and ethnic minority students (including American Indian students) are helped to close this gap by being immersed in language learning experiences that provide optimal conditions for building the English vocabulary necessary for the domain of school (Payne, 1988).

Developing Standard English Skills

The list of challenges to young readers described by Snow et al. (1998) includes several categories applicable to American Indian students. In addition to the socio-political challenges mentioned in previous sections, there are challenges that are socio-linguistic in nature, such as limited opportunities for language and developmental skills enrichment during preschool years (Indian Nations at Risk Task Force, 1991) and speaking a variety of Indian English at home and in their communities (as discussed in Section III of this document).

Given that standard English is the language of instruction in American public schools and given the concern of educators and many American Indian communities about the difficulties that many American Indian students are experiencing in public schools, a primary task that educators face is to provide instruction that strengthens American Indian students' oral and written standard English skills.[48] As the Indian Nations at Risk Task Force (1991) notes, "Learning standard English is essential for school success" (p.14). Strengthening American Indian students' standard English skills will inevitably lead to improving their academic standing and to increasing their educational opportunities.

The issue of standard English language instruction to dialect speakers is widely discussed in the literature,[49] and several researchers suggest strategies for approaching this task. Leap (1992), for example, urges educators to "revise considerably their instructional materials, classroom practice, testing procedures, and evaluating activities" (p.150). He also asks educators to recognize that "the characteristics that separate Indian English from other forms of classroom

[47] For further discussion of this mismatch between oral language and school vocabulary, see Hall, Nagy and Linn (1984).
[48] For detailed discussion of this topic, please see Education Department of Western Australia (1994a, 1994b).
[49] For further discussion of this issue, see Wolfram, Temple Adger and Christian (1999).

usage are not indicators of language deficiency but grow out of differences between standard usage and traditions of English language usage that have considerable time, depth, and cultural significance within the students' home community" (p.150). In fact, as noted in Section III of this document, Leap argues that the differences between standard English and Indian English varieties derive, in large part, from the latter's close association with their speakers' ancestral language traditions. Leap also argues that these Indian English varieties serve valuable purposes in the speech communities in which they are used, especially in American Indian communities in which Indian English is the only "Indian-related" language still spoken, and because of this some members of these communities may "want to retain control over a nonstandard, community-based English code, and ... might be reluctant for fluency in standard English to replace such language knowledge" (Leap, 1992, p.146). Due to such issues, it is important that teachers recognize that the intent of instruction focused on strengthening the standard English skills of American Indian students should be to provide them with access to the language of the classroom and that teachers not erroneously assume that these children need, or should be expected, to change language patterns for use outside of the classroom.

Cleary and Peacock (1998) write about the lack of awareness of Indian English, or "rez talk," among many teachers. They express their concern with some teachers' attitudes toward the students' language and their continuous focus on "correcting errors:"

> Some [American Indian] students can become resistant to literacy acts if they are continually corrected without understanding why they make mistakes. They interpret the blizzard of corrections as criticism of their intelligence when, in reality, intelligence has little to do with why teachers correct them. (p.180)[50]

They continue:

> The power of the dominant society is at once the most subtle and the most discriminating (in the worst sense of the word) when it comes to language use. Teachers who correct their [American Indian] students without being aware of the toll of correction on the self-esteem are perhaps as unintentionally harmful as the teachers who make no attempt to give their students explicit explanations of why they make mistakes in their writing. Without these explanations, students cannot understand an important means of their own oppression, and they cannot understand the power that standard language can give them in the dominant culture. (p.183)

Cleary and Peacock (1998) provide an example of how to teach Indian English speakers standard English for use in academic writing while attempting to avoid casting these students' home language in a negative light.

> Instead of a list of "mistakes," [a teacher can have his or her] students keep a "Grammar Log," with the heading "Home Language" in one column and "Written Language" in another to set up the explicit comparison. This less pejorative way of labeling language might allow students to begin to see the differences in dialects without feeling criticized for their written use of the oral language they would use at

[50]For further discussion of this issue, see Wolfram, Adger and Christian (1999).

home. It is important for students and teachers to see this home language as a strength rather than as a deficit. (p.182)[51]

Leap (1992) recommends that classroom activities that require Indian students to renounce their Indian speech should be avoided. Students should be encouraged to master the standard English without "sacrificing control over their Indian English tradition" (p.151). He suggests that teachers broaden their perspectives on language use, promote diversity, encourage eloquence, and target instruction toward the areas of students' language need. The instruction should combine the skills that the students already have with targeted new standard English language knowledge.

[51] Payne (1998) suggests using the categories of formal and informal registers.

Conclusion

Current research suggests that the relatively low level of academic success among American Indian elementary and secondary school students, as a group, is largely the result of discontinuities between the cultures and languages of these students' homes and communities and the language and culture of mainstream classrooms. American Indian students also tend to perceive academic success as offering few extrinsic rewards, and they are likely to view learning much of what is necessary to succeed academically (such as the standard language and the standard behavior practices of the school) as detrimental to their own language, culture, and identity. Mainstream teachers of American Indian children can help students meet these challenges by:

- Becoming participants in their American Indian students' communities and learning about the norms of behavior and language use that these students are taught in their homes and communities.
- Taking steps to minimize the difficulties arising from discontinuities between their own culturally-derived assumptions about appropriate language use and the culturally-derived assumptions of their American Indian students.
- Gaining a thorough understanding of the unique cultural and historical perspective of their American Indian students' communities.
- Introducing a curriculum that (1) reflects a balanced, multicultural focus that integrates the contemporary, historical, and cultural perspectives of Native Americans; (2) includes a focus on local and regional American Indian communities; and (3) is consciously utilized to foster intercultural harmony in the school.
- Adapting their teaching styles and methods of instruction so that a broad range of learning styles is supported.
- Focusing on the intrinsic motivation of students toward school learning.
- Fostering warm interpersonal relationships with American Indian students.
- Facilitating strong, positive collaboration between the homes of American Indian students and the school.

Because reading ability plays such a significant role in the academic success of students, teachers of American Indian children should also be particularly concerned with reading-related issues. Teachers must be adept in all the teaching strategies required for effective reading instruction. In addition, teachers providing reading instruction to American Indian students must pay special attention to:

- Oral language development, including the building of standard English skills.
- Using culturally appropriate and relevant instructional materials.
- Establishing a classroom environment that is respectful of the linguistic, social and cultural heritage of American Indian students.

- Utilizing a curriculum that capitalizes on the background knowledge and experience students bring with them to school.

Addendum

An Overview of the History of Federal-Indian Policy and the Legal Relationship Between Indian Tribes and the U.S. Government

Regrettably, many Americans lack a sophisticated understanding of either the history of Indian/non-Indian relations in this country or the place American Indian tribes occupy in the United States' system of government. In light of this fact, this addendum provides information in regard to these areas. In the first section of this addendum, the history of political and legal relations between the United States government and American Indian tribes is addressed. In the second section, the special legal and political status of American Indians and tribal governments is discussed.

The History of Political and Legal Relations Between American Indian Tribes and the U.S. Government

Although the federal government's policy toward American Indians has shifted over time, as a whole it has been marked by a "... total lack of Indian involvement or consent in its formulation" (Pevar, 1992, p.2) and, until recently, has resembled a slow but constant attempt to either relegate American Indian communities to small tracts of undesirable land and/or destroy them through assimilation. This trend took a somewhat positive turn with the passing of the Indian Reorganization Act of 1934, but in no way did this act represent a complete reversal of the federal government's policy of assimilation. In fact, it was not until the presidential campaign of 1960 that the true beginning of a clear reversal of federal-Indian policy began (Utter, 1993). Since the 1960s, American Indians have been able to begin rebuilding their communities somewhat free of external aggression.

The development of federal-Indian policy can be categorized into six successive eras (Deloria, 1985; Pevar, 1992; Swinomish, 1991; Utter, 1993). These eras are:

- Tribal Independence (Pre–1828).
- Removal and Relocation (1828–1887).
- Assimilation and Allotment (1887–1934).
- Reorganization (1934–1945).
- Termination (1945–1960).
- Self-Determination (Post–1960).

In this section we provide an overview of each of these periods, with a particular focus on the impact of federal-Indian policy on American Indian communities.

Tribal Independence (Pre-1828)

Prior to the arrival of Europeans, more than 400 independent nations were prospering in what is now the United States (Pevar, 1992).[52] During America's colonial period, some Europeans believed that the indigenous peoples that comprised these nations were without rights and that the supposed superiority of European religion and "civilization" gave colonial powers a natural right to rule over them. However, the predominant view was one that respected tribes as sovereign nations. Colonial powers, it was held, could lay claim to American Indian lands through a legal canon known as the *doctrine of discovery,* but that such a claim was only valid against other colonial powers, not against indigenous peoples (Cadwalader and Deloria, 1984; Grossman, 1979; Shattuck and Norgren, 1991; Wilkinson, 1987).

However, this "... recognition of native sovereignty in the Americas was not entirely a matter of altruism ... [The American Indians'] aid, or at least their tolerance, was often essential to the pre-colonial fur traders and, later, to the survival of colonial settlements" (Grossman, 1979, p.3). In addition, colonial powers neither wanted to expend the resources necessary for hostile policies toward American Indians nor to alienate tribes to the advantage of rival colonial powers. Nevertheless, despite the concerns of their mother countries, colonists often

> sought more immediate gains, particularly Indian lands which blocked their paths of expansion.... [In fact, this] tension between mother countries and colonists is an abiding theme in colonial history and contributed much to the eventual independence movements of the colonists. (Grossman, 1979, p.3)

Nonetheless, and perhaps not surprisingly, once the U.S. won its independence the concerns of these colonial powers were internalized by the new government. "Not wishing to maintain a standing army and wishing to conserve the nation's resources, the first six Presidents of the United States ... generally pursued a policy of conciliation and peace toward Indian tribes" (Grossman, 1979, p.4). Pevar (1992) notes that prior to 1828,

> the United States government regarded Indian tribes as having the same status as foreign nations and every effort was made to obtain their allegiance. As the U.S. Supreme Court said in 1832, "[t]he early journals of Congress exhibit the most anxious desire to conciliate the Indian nations.... The most strenuous exertions were made to procure those supplies on which Indian friendships were supposed to depend; and everything which might excite hostility was avoided." The Northwest Ordinance of 1787, ratified by Congress in 1789, declared: "The utmost good faith shall always be observed towards Indians; their land and property shall never be taken from them without their consent." (Pevar, 1992, p.3)

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[52] Estimates of the number of independent American Indian nations present in what is now the United States immediately prior to the arrival of Europeans varies among sources. For instance, Segal and Stineback (1977) claim only 300 to have been present in all of North America. This inconsistency may in part be due to the fact that most American Indian communities in pre-Columbian times did not constitute part of a social organization that one would properly consider a "nation." Viewing particular American Indian groups as nations was primarily a byproduct of the political demands of Indian/non-Indian treaty making (Dale, 1969; Fleras and Elliot, 1992).

In keeping with this policy, early Presidents recognized tribal sovereignty in treaties and even sent military aid to protect tribes against frontiersmen. Congress respected this sovereignty as well and enacted legislation (such as the Indian Trade and Intercourse Act of 1790) intended to regulate traders and frontiersmen for the protection of tribes. As Grossman (1979) notes,

> The federal government of the new nation replaced the colonial mother country as the protector of the Indian tribes and Article I, section 8 of the U.S. Constitution - the "commerce clause" - recognized this by placing full power over Indian affairs in Congress, denying such power to the states. (p.4)

Unfortunately however, few of these laws were enforced, "... particularly those which might have discouraged settlers from moving west-ward. The government consistently overlooked the forcible and illegal taking of Indian land" (Pevar, 1992, p.3). This disregard for the taking of American Indian land was due to the fact that the U.S. government's policy was motivated predominantly by political expediency; it was meant only to restrain and govern the advance of European Americans, not to prevent that advance forever. Even those who recognized tribal sovereignty as matter of principle, such as Thomas Jefferson, conceded the inevitability of white expansion and the engulfment of America's Indian population (Grossman, 1979).

Removal and Relocation (1828–1887)

With victories over Great Britain in 1783 and 1815, the accompanying defeat of the eastern tribes in the War of 1812, and the displacement of Spain from Florida in 1819, the pressures on the United States from rival powers were greatly diminished. Subsequently, with less need to foster amiable relations with American Indian tribes and more reason to clear them from land desired for national expansion, the federal government's Indian policy began to become one of American Indian removal (Fritz, 1963; Minugh, Morris, and Ryser, 1989; Prucha, 1985; Shattuck and Norgren, 1991). With the election of Andrew Jackson to the presidency in 1828, what had already become an unspoken policy of removing eastern tribes to the West became a publicly stated goal.

Two years after Jackson's election, Congress passed the Indian Removal Act of 1830. This act led to the relocation of the eastern tribes to the "Great American Desert," which, it was thought, would never be desirable for European American settlement (Fritz, 1963). "Through the alteration of persuasion and force, the removal policy resulted in the transportation of the bulk of the eastern tribes beyond the Mississippi River and their establishment on the edge of the Great Plains" (Fritz, 1963, p.17). However, although these tribes were moved to areas that were promised to them in perpetuity, continued U.S. expansion soon destroyed these agreements. Many tribes, first relocated to Arkansas, Kansas, Iowa, Illinois, Missouri and Wisconsin, were soon forced to move even farther west to the Oklahoma Indian Territory. With the discovery of gold in California in 1848, which brought thousands of settlers to the West and heightened the desire for American Indian land, the removal policy became increasingly untenable for the U.S. government (Shattuck and Norgren, 1991). The United States' answer was to press a formal system of reservations upon the tribes. These reservations were to provide "a means of isolating Indians from the base and violent elements of white society while 'good people from Christian

missions could teach an appreciation for agriculture, manufacture, and the English language'" (Shattuck and Norgren, 1991, p.82).

At the same time that the land base of American Indians was being eroded, the federal government began to undermine their status as sovereign nations as well. Although tribal communities had been considered sovereign while willing to sell land to the United States,

> when tribes began to realize that no cession - no matter how large or how "final" - would ever end white demands for more land, they resisted further cessions, and the happy marriage of political convenience and legal principle broke asunder. (Shattuck and Norgren, 1991, p.113)

In an effort to reconcile legal precedent with American expansionist interests, the Supreme Court began to recast tribes as "limited" sovereignties (Minugh, et al., 1989; Ryser, 1992; Shattuck and Norgren, 1991; Wilkinson, 1987). According to this concept, although American Indians held title to the land they occupied and had a right to self-government, their retention of these rights was at the discretion of the federal government.

The rationale at first provided for this recasting of tribes as limited sovereignties was that tribes had had their sovereignty diminished by virtue of being "discovered,"[53] as well as by being conquered by the U.S. But by the end of the 1800s, the Supreme Court would state that tribal sovereignty had been diminished due to tribal "weakness" in relation to the United States (Cadwalader and Deloria, 1984; O'Brian, 1986; Ryser, 1992; Shattuck and Norgren, 1991). Using as justification the federal government's promise to protect these weaker entities in its treaties with them, the Court recast the federal government's relation to tribes from one of equality to that of a guardian to her wards (Cadwalader and Deloria, 1984; Minugh, et al., 1989; O'Brian, 1986 Ryser, 1992; Shattuck and Norgren, 1991). As the American Indians' trustee, "the federal government not only assumed the authority to interfere with internal tribal affairs but also asserted the right to dispose of tribal property as it chose" (Shattuck and Norgren, 1991, p.115).

The Impacts of Removal and Relocation on American Indian Communities

In a number of ways, this policy of removal and relocation led to the impoverishment of American Indian communities and an erosion of their social, cultural, and political systems. For instance, American Indian communities were routinely disrupted through the destruction and loss of life that resulted from the military conflicts this policy often precipitated. For tribes such as the Navaho, Cherokee, Ponca and Nez Perce, these disruptions were exacerbated by the severe loss of life (due to disease, starvation and other hardships) brought about by their forced relocations (Brown, 1970; Dale, 1969; Zinn, 1980).

In addition, the loss of traditional lands, in and of itself, had drastic cultural impacts on American Indian communities. In regard to this impact, Segal and Stineback (1977) write,

[53] With England's defeat in the Revolutionary War, the U.S. was seen as having inherited England's superior title to American Indian land (which she had supposedly gained by discovery) (Shattuck and Norgren, 1991).

> Nothing was, or is to this day, as important to Native Americans as the land itself. In a way that few colonial Europeans could understand, the land *was* Indian culture: it provided Native Americans with their sense of a fixed place in the order of the world, with their religious observances, and with their lasting faith in the importance of the struggling but united community as opposed to the ambitious, acquisitive individual that seemed to them to characterize Europeans in the New World [italics in original]. (p.27)

The loss of land also resulted in the destruction of many tribal communities' traditional economies and means of subsistence. Although these traditional practices had already been partially eroded by European influences such as the fur trade and the private ownership of land (Prucha, 1985), for many tribes relocation onto reservations completed this erosion. In order to fill the vacuum left by traditional methods of subsistence, the U.S. government encouraged American Indians to become farmers, but they were usually unwilling to replace the old ways with those of European Americans (Cingolani, 1973; Deloria, 1977; Pevar, 1992; Prucha, 1985). Furthermore, reservation land was often unfit for farming, and the government failed to adequately provide the knowledge and tools necessary for this socioeconomic conversion (Cingolani, 1973; Fritz, 1963; Grossman, 1979; Porter, 1990). Although many American Indians continued to practice, as best they could, traditional methods of subsistence and many others adjusted to the demands of the new economic system, most American Indian communities became impoverished and ultimately dependent upon the government annuities that they received as payment for their land (Dale, 1969; Fritz, 1963; Prucha, 1985; White, 1991).

Assimilation and Allotment (1887–1934)

By the late 1800s, many Christians and humanitarians had become increasingly concerned with the negative impacts federal policy had had on American Indians and their communities, the continuing encroachment of European Americans on to tribal land, and the scandalously corrupt management of reservations by government officials. Although during previous decades the assimilation of American Indians into Anglo-American culture had been considered desirable by many European Americans, by the late 1800s voluntary associations such as the Women's National Indian Association and the Indian Rights Association had concluded that assimilation was the only practical and humane answer to these problems (Cadwalader and Deloria, 1984; Dale, 1969; Grossman, 1979; Fritz, 1963; Shattuck and Norgren, 1991). Influenced by such groups, as well as by European American land speculators, gold seekers and others who were eager to acquire tribal lands, from 1887 to 1934 the federal government systematically dismantled most American Indian reservations and redistributed a significant portion of the land to European American settlers. It was expected that this would disrupt communal tribal cultures and force American Indian people to adopt the ways of the American farmer (Bordewich, 1996; Cadwalader and Deloria, 1984; Dale, 1969; Fritz, 1963; Pevar, 1992). Simultaneously, thousands of American Indian children were forcibly removed from their homes and placed in boarding schools with the overt intention of stripping them of their traditional cultures and inculcating them in the ways of European Americans (Swinomish, 1991; Utter, 1993).

The General Allotment Act

Passed in 1887, this act, also known as the Dawes Act, was the legislation that provided for the dismantling of reservations and the redistribution of reservation land to European Americans. The act initially delegated to the Bureau of Indian Affairs the authority to allot 160 acres of tribal land to each head of household and 40 acres to each minor, but it was soon amended to provide an allotment to each tribal member of either 80 acres of agricultural land or 160 acres of grazing land. After all eligible American Indians had received their share, the surplus was purchased by the U.S. government at a nominal sum and then resold to European American settlers.

As was suggested above, Senator Henry L. Dawes, the architect of the Allotment Act, together with the Christians and humanitarians who supported the act, hoped that it would lead to the breakdown of tribal relationships and the communal nature of American Indian societies as well as force tribal members to adopt the individualistic ways of the American farmer (Bordewich, 1996; Cadwalader and Deloria, 1984; Dale, 1969; Fritz, 1963; Pevar, 1992). It was believed that contact with European Americans and the private ownership of land "... would make farmers out of 'savages,'" as well as hasten the economic self-sufficiency of a people whose former livelihoods had disappeared (Cadwalader and Deloria, 1984; Cingolani, 1973; Utter, 1993, p.252).

However, far from helping American Indians,

> the effect of the General Allotment Act on Indians was catastrophic. Most Indians did not want to abandon their communal society and adopt the way of life of a farmer. Further, much of the tribal land was unsuitable for small scale agriculture. Thousands of impoverished Indians sold their parcels of land to white settlers or lost their land in foreclosures when they were unable to pay state real estate taxes. Moreover, tribal government was seriously disrupted by the sudden presence of so many non-Indians on the reservation and by the huge decrease in the tribe's land base. (Pevar, 1992, p.5)

By the time the allotment policies were reversed in 1934 by the Indian Reorganization Act, American Indian land holdings had been reduced by two thirds: from 138 million acres to about 48 million acres (Cingolani, 1973). "At least 200,000 tribesmen either had no land at all or too little for subsistence" (Cingolani, 1973, p.26).

Despite these facts however, Washburn (1971) argues that the impact of the allotment policies was less an economic blow to American Indians than a psychological and even spiritual one. Washburn states,

> No longer did many tribal Indians feel pride in the tribal possession of hundreds of square miles of territory which they could use as a member of the tribe. Now they were forced to limit their life and their vision to an incomprehensible individual plot of 160 or so acres in a checkerboard of neighbors, hostile and friendly, rich and poor, white and red ...
>
> A way of life had been smashed; a value system destroyed. Indian poverty, ignorance, and ill health were the results. The admired order and the sense of community often observed in early Indian communities were replaced by the easily caricatured features

> of rootless, shiftless, drunken outcasts, so familiar to the reader of early twentieth century newspapers. (p.75)

American Indian Schools

The other major strategy during this period for assimilating American Indians into mainstream American society was for religious groups and the federal government to "educate" and "civilize" American Indian youth. In 1860, the Bureau of Indian Affairs opened its first "Indian school." By 1887, more than 200 such schools had been established under federal supervision with an enrollment of over 14,000 American Indian students (Pevar, 1992; Utter, 1993). The goal of these schools was to strip American Indian children of their cultures and to replace them with that of mainstream America. Pevar (1992) states that "the history of their authoritarian rule is notorious; for example, students were severely punished if they spoke their native language or practiced their traditions" (Pevar, 1992, p.4).

The most famous government school for American Indians was Carlisle. The first off-reservation government boarding school, Carlisle was established in 1879 by a former military officer, Henry Pratt. Pratt's motto was: "Kill the Indian and save the man" (Utter, 1993, p.196). By the turn of the century almost half of the American Indian schools under federal supervision were such boarding schools, and American Indian children were routinely forcibly removed from their families to be placed in them. Although the overt policy of assimilation in this manner was repudiated by 1936, it was not until the 1970s that significant substantive change in the nature of these schools began to occur.

Reorganization (1934–1945)

In 1928, the federal government conducted a major study of the living conditions on American Indian reservations. This study, called the Meriam Report, "... enumerated the disastrous conditions afflicting Indians at that time: high infant death rates, high mortality rates for the entire population, appalling housing conditions, low incomes, poor health, and inadequate education. The policy of forced assimilation was judged a failure" (Utter, 1993, p.254).

Because of increased popular concern for American Indian welfare, the obvious failure of the policy of assimilation to absorb American Indian communities into mainstream American society, and the reduced European American demand for American Indian land (which the Great Depression had precipitated), the federal government decided to change the direction of its American Indian policy (Pevar, 1992; Kelly, 1986). This change in policy, which came with the passing of the Indian Reorganization Act, was drastic and abrupt. Kelly (1986) writes,

> After a century and a half of trying to forcibly acculturate and assimilate Indians into American society, during the 1930s the federal government changed its goals dramatically. Under the leadership of John Collier, who served as commissioner of Indian Affairs from 1933 to 1945, the Bureau of Indian Affairs decided to encourage tribal efforts to retain and even revitalize native languages, religious practices, social customs, and forms of artistic expression. (Kelly, 1986, p.242)

The Indian Reorganization Act contained major provisions that ended the policy of allotment and allowed for the reorganization of tribal governments (as well as the investment of

those governments with considerable powers). The act consolidated many of the remaining American Indian lands for tribal use, as well as

> ... made provisions to secure lands for landless Indians, allowed a certain measure of municipal powers with the adoption of a tribal constitution and by-laws, permitted tribes to form business corporations for economic development, established a system of credit for both tribes and individuals, and made Indian preference in employment in the Bureau of Indian Affairs a major goal. (Cadwalader and Deloria, 1984, p.110)

However, the Indian Reorganization Act also mandated a predetermined framework for how tribal governments were to be structured, forcing them to resemble governments familiar to federal policymakers (Kelly, 1986; Minugh, et al., 1989; Pevar, 1992). Nonetheless, even though the act "... did not systematically incorporate existing Indian conceptions of authority... [it] at least in an Anglo-American sense provided an 'individualistic' opportunity to Indian tribes to formulate their own tribal governments and constitutions" (Deloria, 1985, p.28).[54]

Termination (1945–1960)

From 1945 until 1960, the federal government resumed its policy of assimilating American Indians into mainstream American society. Three methods were used to accomplish this. The first was an effort to eliminate the unique relationship between the federal government and tribes as well as the federal government's special responsibilities toward tribes. The second method was the transfer of federal Indian responsibilities and jurisdiction to state governments. The third was the physical relocation of American Indian people from reservations to urban areas (Fixico, 1986; Pevar, 1992; Utter, 1993).

Elimination of the Special Legal Status of Tribes

In 1953, Congress adopted House Concurrent Resolution No. 83-108 (H.C.R. 108) (Fixico, 1986). H.C.R. 108 declared that federal benefits and services to various American Indian tribes should be ended "at the earliest possible time," and it called upon the Bureau of Indian affairs to list the tribes that were economically self-sufficient enough to do without them. Congress then began "terminating" those tribes, an act that entailed the loss of federal services, the loss of federal recognition of tribal governments, and the loss of tribal immunity from state taxation. During this period, "... Congress terminated its assistance to over 100 tribes. Each of these tribes was ordered to distribute its land and property to its members and to dissolve its government" (Pevar, 1992, p.7). In all, approximately 12,000 individual American Indians lost tribal affiliations that included political relationships with the United States (Utter, 1993).

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[54] Many American Indians argue that the Indian Reorganization Act was, in fact, far from beneficial or empowering to tribal communities. For instance, in 1989 the President of the Quinault Indian Nation, Joseph DeLaCruz, wrote that "though apologists for the Indian Reorganization Act thought the law would liberate Indian nations and promote their social, economic and political self-sufficiency, as a practical matter it became the instrument by which the U.S. government assumed greater autocratic rule over Indian Country" (Minugh, et al., 1989, p.5).

The Transfer to State Governments of the Federal Government's Responsibilities Toward American Indian Tribes

In an effort to further reduce federal responsibility and foster American Indian assimilation, as well as to deal with the ambiguous jurisdiction regarding crime on reservations, Congress passed Public Law 83-280. Generally known as P.L. 280,

> this statute conferred upon certain designated states full criminal and some civil jurisdiction over Indian reservations and consented to the assumption of such jurisdiction by any additional state that chose to accept it. State governments had long resented the notion of tribal sovereignty and had made repeated efforts to gain control over Indian resources and people. P.L. 280 thus gave powers and responsibilities to the states - the traditional enemy of Indian tribes - that previously had been assumed by the federal government. (Pevar, 1992, p.7)

American Indian Urban-Relocation

During this period, the government also instituted a program that encouraged and facilitated the relocation of American Indian people from reservations to urban areas where employment was more plentiful. Faced with the high unemployment and widespread poverty within tribal communities, curious about city life, and with tribal councils often supportive of the program, numerous American Indians enrolled for relocation. By 1956, which was about the time of the program's climax, the program had resulted in some 12,625 American Indians being relocated to urban areas (from an estimated total tribal-based population of 245,000) (Fixico, 1986).

But even though the program offered relocated American Indians help finding employment, as well as a limited degree of vocational training and financial aid, this assistance routinely proved inadequate to overcome the drastic social and cultural upheaval to which they were subjected (Fixico, 1986; Swinomish, 1991). Swinomish (1991) states that "language differences, social isolation and lack of familiarity with city life led to most relocated Indians returning to the reservation. Others remained in urban areas but developed serious and complex problems" (p.24). According to Fixico (1986),

> Federal officials hoped that relocation would assimilate Indians into urban neighborhoods of the dominant society. Instead, Indian ghettos soon resulted.... Such areas fostered feelings of isolation, loneliness, and estrangement for Native Americans. Many resorted to alcohol to escape the competitive and social coldness of highly individualized urbanization. Marital and delinquency problems became acute; broken marriages, school dropouts, and increases in crime were so rampant that discouraged relocatees became severely depressed and sometimes committed suicide. Tragically, a people who traditionally cherished life were now broken in spirit. (Fixico, 1986, p.155)

Although some American Indian people did manage to merge into mainstream American society, relatively few were able to develop a fulfilling blend of American Indian and mainstream beliefs

and lifestyles. Many continue to experience difficulties in substituting traditional values for those of the modern world: materialism and competition (Fixico, 1986; Swinomish, 1991).[55]

Self-Determination (Post-1960)

In the presidential election campaign of 1960 "... candidates John Kennedy and Richard Nixon both pledged there would be no change in treaty or contractual agreement without tribal consent. They also declared there would be protection of the Indian land base, credit assistance, and encouragement of tribal planning for economic development" (Utter, 1993, p.256). This event marked the beginning of the self-determination era. Pevar (1992) notes that

> since the late 1960's, Congress has passed a number of statutes that foster Indian self-determination and economic development ... [repudiating] the termination policies of the 1950's. As the Supreme Court noted in 1983, "both the tribes and the federal government are firmly committed to the goal of promoting tribal self-government, a goal embodied in numerous federal statutes." (p.8)

The most important piece of such legislation is the Indian Self-Determination and Education Assistance Act of 1975. This act enabled American Indian tribes to begin divesting themselves of federal control through the strengthening of tribal government. The Self-Determination Act also granted tribes the authority to administer the federal programs operating on reservation land. The act "... reflects a fundamental philosophical change concerning the administration of Indian affairs: tribal programs should be funded by the federal government, but the programs should be planned and administered by the tribes themselves; federal 'domination' should end" (Getches and Wilkinson, 1986, p.154).

Three years later, in 1978, Congress passed two other significant acts that helped to strengthen tribal self-determination and sovereignty, both of which are discussed below. One act is the Indian Child Welfare Act. The other is the American Indian Religious Freedom Act.

The Indian Child Welfare Act

Prior to the passing of the Indian Child Welfare Act in 1978, mainstream prejudice against American Indian lifestyles, as well as a lack of understanding of American Indian religious systems and family networks, had led to damaging American Indian child welfare practices by state caseworkers and the non-Indian court system (Kessel and Robbins, 1984; McShane, 1988; Miller, Hoffman, and Turner, 1980; Swinomish, 1991).

> Poverty of Indian families was often interpreted as sufficient cause for the removal of Indian children. Removals were made frequently without sufficient cause and without prior attempts to provide remedial alternatives.... In fact, certain religious groups made it an explicit policy to attempt to remove and "save" as many Indian children as possible. (Swinomish, 1991, p.28)

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[55] It is estimated that roughly 56 percent of American Indian people currently reside in urban areas (Grossman and Krieger, 1994; Shukovsky, 1994).

By 1977, state child custody proceedings had taken 25 to 35 percent of all Indian children from their homes (Deloria, 1985). In Washington State, the adoption rate for American Indian children was 19 times that of non-Indian children (Byler, 1977). Significantly, these American Indian children were almost always placed with non-Indian foster or adoptive families (Myers, 1981).

In a discussion of the effects of this practice, Swinomish (1991) states,

> The massive removal of Indian children from their families and tribes was devastating not only to the integrity of Indian families and to the psychological and cultural identity of these children, but also to the vitality of entire Indian tribes.... Far from providing these children with an improved chance for a "better life," non-Indian foster care and adoption has generally produced frustrated, confused and angry young Indians without a clear sense of belonging to either Indian or to non-Indian culture. Many developed serious social and emotional difficulties. (p.28)

Designed to stem the flow of American Indian children out of American Indian homes and tribal communities, the Indian Child Welfare Act established

> ... standards for the placement of Indian children in foster or adoptive homes in order to prevent the breakup of Indian families. It establishes minimum federal standards for the removal of Indian children from their families and the placement of such children in foster or adopted homes that will reflect the unique values of Indian culture and provide for assistance to tribes in the operation of child and family service programs. It gives Indian tribes jurisdiction over Indian children, and takes jurisdiction away from states, transferring it to the tribes and tribal courts. (Miller, et al., 1980, p.470)

American Indian Religious Freedom Act

Colonial governments have, over the course of history, often attempted to suppress the religious beliefs and practices of American Indian communities. These governments considered the diverse American Indian religious beliefs to be pagan and felt that only by ending these traditional practices and forcing American Indians to accept Christianity would American Indians be transformed into "civilized" people. The Spaniards outlawed traditional religious practices in 1646, and the U.S. government forbade the practices on reservations in 1883 with the establishment of Henry Teller's "courts of Indian offenses" (Utter, 1993).

With the spread of the Ghost Dance Religion in the 1890s, attempts to suppress traditional religious practices reached new heights:

> Built around a prophesy that the world would return to the state it had enjoyed before the coming of the white man and that Indian ancestors and vanished game would reappear, the religious movement offered hope to a population decimated by disease and starvation and imprisoned on reservations. The government saw the religion as a unifying anti-white practice. In 1890 the army massacred three hundred Sioux, mostly women and children, at Wounded Knee, South Dakota. In 1892 the BIA [Bureau of Indian Affairs] promulgated the Indian Religious Crimes regulation, which made it a crime to engage in any form of Indian dancing or feasting. (Deloria, 1985, p.54)

Swinomish (1991) notes that American Indians were not only fined, but were "actually jailed for such 'offenses' as possessing traditional spiritual regalia or participating in a traditional dance.... Indian people who believed in traditional ways were made to feel guilty, primitive and evil" (p.31).

As recently as the 1920s, official policy against traditional religious practices continued, as is expressed by the letter sent by "Commissioner of Indian Affairs Charles Burke ... 'To all Indians.' Burke urged the Indians to give up 'dances' and 'ceremonies' voluntarily or he might be forced to 'issue an order against these useless and harmful performances'" (Utter, 1993, p.90). However, with the passing of the American Indian Religious Freedom Act in 1978, such persecution was prohibited. The act ensures that state and federal agencies will no longer infringe upon the first amendment rights of American Indians to exercise traditional religious practices.

The Legal and Political Status of American Indians and Tribal Governments

Many American Indian tribes have reserved both land and a unique legal status within the United States' system of government. Initially, this was achieved through treaty. After 1871 (when the United States renounced formal treaty making with tribes), this was accomplished through congressional statutes and through the Interior Department acting pursuant to delegated authority from Congress (Cadwalader and Deloria, 1984; Pevar, 1992; Utter, 1993; Wilkinson, 1987). From 1855 to 1919, tribes reserved land and a unique legal status through executive order (Pevar, 1992; Wilkinson, 1987). However, with minor exceptions, the Supreme Court has not distinguished among these methods in its consideration of reserved tribal land and legal rights and has viewed them as legally comparable (Cadwalader and Deloria, 1984; Pevar, 1992; Utter, 1993; Wilkinson, 1987). This section discusses the most pertinent aspects of the unique legal status that many American Indian tribes secured in these three ways.

Tribes as "Domestic Dependent Nations"

The term *domestic dependent nation* was initially used in 1831 in the Supreme Court case *Cherokee Nation v. Georgia*. At the time, it was meant to express the anomalous legal status American Indian tribes had obtained as a result of the loss of their sovereign right to form political and legal relationships with nations other than the United States (Cadwalader and Deloria, 1984; Shattuck and Norgren, 1991). Although American Indians often justifiably argue that such an abrogation of inherent rights was impossible without their consent, this abrogation was nevertheless in accordance with the doctrine of discovery: a legal canon widely accepted by European nations at the time (Cadwalader and Deloria, 1984; O'Brian, 1986; Shattuck and Norgren, 1991). However, as was touched upon in the previous section, by the end of the nineteenth century, the Court had abandoned legal precedent by using the tribes' domestic dependent nation status to transform its conception of tribes from nations that were sovereign except in regard to the right to form political and legal relationships to groups whose sovereignty existed only at the discretion of the federal government (Cadwalader and Deloria, 1984; O'Brian, 1986; Pevar, 1992; Ryser, 1992; Shattuck and Norgren, 1991; Wilkinson, 1987).

One ramification of this transformation is the view that the federal government gained a title, superior to that of American Indians, to all land claimed by the United States (regardless of whether or not individual tribes had formally ceded that title) (Cadwalader and Deloria, 1984; Pevar, 1992; Shattuck and Norgren, 1991; Wilkinson, 1987). The tenets of American Indian land title that this transformation engendered are:

> (1) the federal government acquired ownership of all land within the United States by discovery and conquest, (2) Indians retain a perpetual right to live on their ancestral homeland until such time as Congress decides to take this land for another purpose, (3) Indian title is a possessory interest, that is to say, Indians have a right to possess their ancestral homelands but not to own it unless Congress gives them title to it, and (4) Indian title cannot be sold by the Indians or bought by anyone else without authorization from the federal government. (Pevar, 1992, p.20)

Although the Court has chosen to undermine American Indian sovereignty in this manner, it nonetheless continues to view federal-Indian treaties (and the treaty substitutes discussed in the introduction to this section) as similar in character to those treaties that the federal government makes with foreign nations. However, the Court also considers both the making and breaking of treaties to be solely at Congress' discretion and beyond judicial review. Because of this, Congress is seen as having the ability to eliminate at will both the land title and the unique legal rights American Indian tribes have reserved through treaties and treaty substitutes. Congress is viewed as having *plenary power* (i.e., nearly absolute power) "... over all Indian tribes, their government, their members, and their property" (Pevar, 1992, p.48). Congress' plenary power allows it "... to legislate for the Indian tribes in all matters, including their form of self-government" (*U.S. v. Wheeler*, 435 U.S. 313).

However, although the Court has decided not to limit the scope of political choices open to the federal government in relation to tribes, it does insist that the implementation and administration of such policies as the federal government has chosen to adopt conform to "... legal standards of regularity, calculability, and due process consistent with liberal principles of formal legal rationality" (Shattuck and Norgren, 1991, p.191). In accordance with this, the Court has established legal rules insisting that unclear treaty language be interpreted in favor of the American Indian signatories and that Congressional treaty abrogation be explicit and done with full notice (Shattuck and Norgren, 1991). The Court has also established, in conformity with the Just Compensation Clause of the Fifth Amendment to the U.S. Constitution, that if Congress deprives a tribe of land or vested rights that were reserved by an act of Congress, the government must compensate that tribe for the loss (Pevar, 1992; Shattuck and Norgren, 1991; Wilkinson, 1987).

The Court further insists that the federal government's dealings with tribes conform to its *trust responsibility* toward them (Canby, 1981; Getches and Wilkinson, 1986; Pevar, 1992). In regard to this responsibility, Canby (1981) states,

> At its broadest, the relationship includes the mixture of legal duties, moral obligations, understandings and expectancies that have arisen from the entire course of dealing between the federal government and the tribes. In its narrowest and most concrete sense, the relationship approximates that of trustee and beneficiary, with the trustee (Federal Government) subject in some degree to legally enforceable responsibilities. (p.32)

The doctrine of trust responsibility obligates the federal government to fulfill the explicit commitments it has made to American Indian tribes in treaties, federal statutes, agreements, and executive orders (Getches and Wilkinson, 1986; Pevar, 1992). To a lesser degree, it obligates the government to fulfill implied commitments as well (Pevar, 1992). It also imposes on the federal government a duty to "... remain loyal to Indians and to advance their interests, including their interest in self-government" (Pevar, 1992, p.27). In regard to this, a 1977 Senate commission stated,

> The purpose behind the trust doctrine is and always has been to ensure the survival and welfare of Indian tribes and people. This includes an obligation to provide those services required to protect and enhance Indian lands, resources, and self-government, and also includes those economic and social programs which are necessary to raise the standard of living and social well-being of the Indian people to a level comparable to the non-Indian society. (American Indian Policy Review Commission, 1977, p.130)

Federally Recognized Tribes

The federal government does not recognize all American Indian tribes. In fact, "... the federal government officially recognizes less than three hundred of the more than four hundred tribes that claim to exist" (Pevar, 1992, p.14). This lack of recognition can result from (1) the failure of the federal government to have, at some point, created a reservation for the tribe; (2) the loss of tribal identity or a unifying tribal leadership; or (3) federal termination of tribal status (Pevar, 1992). Currently, only 28 of the 36 tribes in Washington State are federally recognized.[56] Federal recognition is significant because only federally recognized tribes are eligible for most federal-Indian programs (Pevar, 1992; Utter, 1993). Furthermore, only federally recognized tribes maintain governments that exist beyond state jurisdiction (Pevar, 1992; Utter, 1993).

State Jurisdiction Over "Indian Country"

The term *Indian country* denotes (1) all land within the boundaries of a federal Indian reservation, (2) all land outside of reservation boundaries that is owned by American Indians and held in trust or restricted status by the federal government, and (3) all other lands set aside for the residence of tribal-based American Indians under federal protection (known as *dependent Indian communities*) (Pevar, 1992; Utter, 1993; 18 U.S.C. Sec. 1151). In general, states do not have any jurisdiction over Indian country unless Congress has granted such jurisdiction (Pevar, 1992). However, the Court has declared that states can nonetheless assert jurisdiction if such an assertion (1) does not violate federal law, (2) does not interfere with overriding federal or tribal

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[56] The federally recognized tribes in Washington State include the Hoh, Jamestown S'Klallam, Kalispel, Lower Elwha Klallam, Makah, Muckleshoot, Nisqually, Nooksack, Port Gamble S'Klallam, Puyallup, Quileute, Sauk-Suiattle, Shoalwater Bay, Skokomish, Snoqualmie, Spokane, Squaxin Island, Stillaguamish, Suquamish, Swinomish and Upper Skagit, as well as the Lummi Nation, the Quinault Nation, the Yakama Nation, the Samish Nation, the Colville Confederated Tribes, the Chehalis Confederated Tribes, and the Tulalip Tribes. The tribes in Washington State that currently lack federal or state recognition are the Chinook, Cowlitz, Duwamish, Snohomish, Snoqualmoo, Marietta Band of Nooksack and Steilacoom, as well as the Kikiallus Indian Nation.

interests, and (3) does not interfere with tribal self-government (unless the state interest in doing so is very compelling) (Pevar, 1992; State of Washington, 1977; *Moe v. Confederated Salish and Kootenai Tribes*, 425 U.S. 463).

In accordance with this judicial declaration, although tribes have civil jurisdiction within Indian country over both American Indians and virtually every non-Indian activity that involves American Indians or American Indian property, the Court has granted states some civil jurisdiction over certain activities involving non-Indians within Indian country (Cadwalader and Deloria, 1984; Pevar, 1992; State of Washington, 1977; *Moe v. Confederated Salish and Kootenai Tribes*, 425 U.S. 463). For example,

> ... the Court has permitted states to require Indian merchants to collect a state sales tax from their non-Indian customers.... The state can also require Indian merchants to keep records of their sales to non-Indians for state taxation purposes. Likewise, a non-Indian who wishes to sell liquor on the reservation can be required to obtain both a tribal and a state liquor license, and any personal property a non-Indian owns on the reservation can be taxed by the state as well as the tribe. (Pevar, 1992, p.160)

In regard to state criminal jurisdiction in Indian country, the Court has only allowed this to include crimes committed by non-Indians against other non-Indians (Pevar, 1992).

Congress has, however, expanded the jurisdiction of a number of states. This expansion has mainly occurred through Public Law 83-280 (P.L. 280), which mandated that six particular states assume, with limited exceptions, complete criminal jurisdiction and some civil jurisdiction over the American Indian reservations within their boundaries. P.L. 280 gave other states the option of doing so as well.

Washington accepted this option, receiving full jurisdiction over all fee patent land within Indian country, as well as limited jurisdiction over all American Indian land held in trust by the federal government (fee patent land is land held with full rights of ownership by an individual, as opposed to trust land, in which ownership is retained by the federal government).[57,58] Washington's jurisdiction over trust land is limited to compulsory school attendance, public assistance, domestic relations, mental illness, juvenile delinquency, adoptions, dependent children, and the operation of motor vehicles on public roads (Pevar, 1992; State of Washington, 1991; Swinomish, 1991). However, this state jurisdiction is not exclusive, but concurrent with tribal jurisdiction; furthermore, in regard to civil issues, Washington State's jurisdiction has only been expanded to the degree that its courts are now permitted to resolve private disputes brought to it by American Indians who reside in Indian country (Pevar, 1992; State of Washington, 1977; Wilkinson, 1987).

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[57] Washington can assert complete jurisdiction within an American Indian reservation at the tribe's request. Currently, only a very limited number of tribes remain under complete Washington State jurisdiction (Pevar, 1992; State of Washington, 1991).

[58] A few tribal reservations in Washington State do not fall under state jurisdiction through P.L. 280 because the reservations were formed after P.L. 280 went into effect in this state.

Tribes as Entities Outside of the Federal Governmental System

Many people still question the federal government's right to assert jurisdiction over American Indian tribes (Deloria, 1969; Deloria, 1974; Josephy, 1971; Minugh, et al., 1989; Pevar, 1992; Prucha, 1984; Ryser, 1992). It is argued that tribes were sovereign nations long before the United States was and that there is no language within most federal-Indian treaties that would suggest that tribes renounced their sovereignty through them. As was addressed above, the United States acknowledged this fact until expansionist interests began to dictate otherwise. It is argued therefore that American Indian tribes exist outside of the U.S. federal system and that the federal government's control over American Indian communities

> ... is quite simply illegal under international law... [F]ederal "Indian law" is not and was never so much a matter of law as it is and was always an exercise in rationalizing the extension and maintenance of U.S. colonial domination over every indigenous nation it encountered. (Minugh, et al., 1989, p.53)

Conclusion

Until recent decades, the federal governmental policy toward American Indians has primarily been meant to displace American Indians from their lands, assimilate them into mainstream society, or both. Such policies have seriously impoverished American Indian communities and disrupted their traditional ways of life. However, since the 1960s, federal-Indian policy has increasingly supported tribal self-government and the strengthening of tribal communities.

The United States' historical desire to displace American Indian tribes from their lands has also resulted in federal courts effectively undermining the sovereignty of tribes while providing them with a unique legal status within the U.S. federal governmental system. The unique legal status that tribes hold is that of domestic dependent nations, toward which the federal government has special responsibilities and over which it has plenary power. Many American Indians argue, however, that tribes never relinquished their sovereignty to the United States and that such an assertion of U.S. jurisdiction over them is a form of colonial tyranny.

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